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1975

1975



PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

SIXTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL
UNDER THE GOVERNMENT OF INDIA ACT, 1919

Vol. LXXVIII, Nos. 1 to 12.

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வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

His Excellency Lord ERSKINE, G.C.I.E. Took his seat on the 15th November 1934.

MEMBERS OF THE EXECUTIVE COUNCIL.

1. The Hon. Rai Bahadur Sir K. VENKATA REDDI NAYUDU, *Kt.*, Law Member. Took his seat on the 25th April 1934 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|---|
| 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the Province. | 6. Coroners. |
| 2. Provincial law reports. | 7. Treasure-trove. |
| 3. Administrator-General and Official Trustees. | 8. Non-judicial and judicial stamps. |
| 4. Elections for Indian and Provincial Legislatures. | 9. Prisons and prisoners. |
| 5. Escheats. | 10. Industrial matters included under the following head :—
Electricity, including hydro-electric schemes. |
| | 11. Forests (including Cinchona) except panchayat forests. |
| | 12. Minor ports. |

II.—Central Subjects.

- | | |
|----------------------------|--|
| 1. Civil law. | 6. Shipping and navigation. |
| 2. Inventions and designs. | 7. Lighthouses. |
| 3. Copyright. | |
| 4. Criminal law. | 8. Port quarantine and marine hospitals. |
| 5. Major ports. | |
2. The Hon. Rao Bahadur A. T. PANNIRSELVAM, Home Member. Took his seat on the 16th August 1934 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|---|--|
| 1. Police, including Railway Police and C.I.D. | 10. Government Houses, Staff and equipment of His Excellency the Governor. |
| 2. Regulation of betting and gambling. | 11. Government Presses. |
| 3. Prevention of cruelty to animals. | 12. Industrial matters included under the following heads :— |
| 4. Control of poisons. | (a) Factories. |
| 5. Control of vehicles. | (b) Settlement of labour disputes. |
| 6. Control of dramatic performances and cinematographs. | (c) Boilers. |
| 7. Control of newspapers, books and printing presses. | (d) Gas. |
| 8. European vagrancy. | (e) Smoke nuisances. |
| 9. Regulation of medical and other professional qualifications and standards. | (f) Welfare of labour including depressed classes. |
| | 13. Criminal tribes. |
| | 14. Stores and Stationery (required for Reserved departments). |

II.—Central Subjects.

- | | |
|---|-------------------------------|
| 1. Control of petroleum and explosives. | 3. Arms and ammunition. |
| 2. Central police organization. | 4. Emigration and immigration |
| | 5. Pilgrimage to the Hedjaz |

3. The Hon. Mr. C. A. SOUTER, C.S.I., I.C.S., Member in charge of Revenue. Took his seat on the 3rd January 1935 :—

I.—Provincial Subjects.

- | | |
|--|--|
| 1. Land Revenue administration as described under the following heads, namely :— | 4. Inland waterways including shipping and navigation thereon. |
| (a) Assessment and collection of land revenue. | 5. Economic condition including wages and prices and famine-relief. |
| (b) Maintenance of land records. Survey for revenue purposes. Records of rights. | 6. Land acquisition, excepting notifications under subsection (1) of section 4 and declarations under subsection (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said subsections appertains to a transferred subject. |
| (c) Laws regarding land tenures. Relations of landlords and tenants. Collection of rents. | 7. Development of mineral resources. |
| (d) Court of Wards encumbered and attached estates. | 8. Protection of wild birds and animals. |
| (e) Land improvement and agricultural loans. | 9. Pounds and prevention of cattle trespass. |
| (f) Colonization and disposal of Crown lands. | 10. Provincial Gazetteers. |
| (g) Management of Government estates. | 11. Agency tracts. |
| (h) Panchayat forests. | 12. Laccadives. |
| 2. Yeomials, inams and hereditary pensions. | 13. European and Anglo-Indian education. |
| 3. Water-supplies, irrigation and canals, drainage and embankments. Water storage and water power. | 14. Fortnightly reports and preliminary special reports to the Government of India. |
| | 15. General service questions. |
| | 16. Office procedure. |
| | 17. Secretariat. |
| | 18. Matters of a general nature not allocated elsewhere. |

II.—Central Subjects.

- | | |
|---------------------------|---|
| 1. Geological survey. | 8. Territorial changes. |
| 2. Mineral development. | 9. Immovable property in possession of the Governor-General in Council. |
| 3. Botanical survey. | 10. All-India services. |
| 4. Survey of India. | 11. Public Services Commission. |
| 5. Zoological survey. | |
| 6. Meteorology. | |
| 7. Census and Statistics. | |

4. The Hon. Mr. G. T. H. BRACKEN, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on the 19th March 1935 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|------------------------|---|
| 1. Provincial finance. | 4. Preservation and translation of ancient manuscripts. |
| 2. Pensions. | 5. Central Record Office. |
| 3. Local Fund audit. | |

II.—Central Subjects.

- | | |
|--|--|
| 1. (a) Defence of India. | 9. Public debt of India. |
| (b) Naval and Military works and cantonments. | 10. Savings banks. |
| 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz. | 11. Indian Audit Department. |
| 3. Relations with States in India. | 12. Commerce, including Banks and Insurance. |
| 4. Political charges. | 13. Trading Companies and other Associations. |
| 5. Communications. | 14. Opium (Central questions regarding —). |
| 6. Posts and telegraphs and telephones, including wireless installations. | 15. Central Research. |
| 7. Sources of all-India revenues. | 16. Ecclesiastical. |
| 8. Currency and coinage. | 17. Archaeology. |
| | 18. Regulation of ceremonial titles, orders, precedence and civil uniform. |
| | 19. Reforms. |
| | 20. Subjects not allocated elsewhere. |

MINISTERS.

1. The Hon. Raja Sir Sri RAVU SWETACHALAPATHI RAMAKRISHNA RANGA RAO Bahadur, of Bobbili, K.C.I.E., Minister for Local Self-Government. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|--|---|
| 1. Adulteration of food-stuffs and other articles. | 4. Religious and Charitable Endowments. |
| 2. Light and Feeder Railways and Tramways within municipalities. | 5. Sanitary Engineering Department. |
| 3. Local Self-Government including village panchayats. | 6. Stores and Stationery for Transferred Departments. |

2. The Hon. Mr. P. T. RAJAN, Minister for Public Works. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|---------------------------------|--|
| 1. Agriculture. | 6. Public Works (Buildings, Roads, Ferries, Ropeways, etc.). |
| 2. Civil Veterinary Department. | 7. Registration. |
| 3. Co-operative Societies. | 8. Weights and Measures. |
| 4. Development of Industries. | |
| 5. Fisheries. | |

3. The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR, Minister for Education and Excise. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|--|--|
| 1. Education (other than European and Anglo-Indian education). | 5. Pilgrimages within British India. |
| 2. Excise. | 6. Public Health (except Sanitary Engineering Department) and Sanitation and Vital Statistics. |
| 3. Libraries, Museums and Zoological Gardens. | |
| Medical administration. | |

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

• The Hon. Mr. B. RAMACHANDRA REDDI.

Deputy President.

M.R.Ry. Diwan Bahadur C. NATESA MUDALIYAR Avargal.

Panel of Chairmen.

Mr. M. S. SRESHTA.

Khan Bahadur YAHYA ALI SAHIB Bahadur.

Mrs. A. RUKMANI LAKSHMIPATHI.

Sir WILLIAM WRIGHT.

Secretary to the Council.

M.R.Ry. Diwan Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. D. K. V. RAGHAVA VARMA Garu, B.A., B.L.

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1 Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2 Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad <i>cum</i> Tinnevely, Muhammadan Rural.
3 Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4 Alamelumangathayaramma, Mrs. K.	NOMINATED.
5 Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6 Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7 Arasu, V. T.	NOMINATED.
8 Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9 Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10 Basu Dev, C.	NOMINATED.
11 Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
12 Bhanoji Rao, A. V.	NOMINATED.
13 Boag, G. T.	NOMINATED.
14 Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.	EX OFFICIO.
15 Davis, O.B.E., J. A.	Anglo-Indian.
16 Devadasan, M.	NOMINATED.
17 Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
18 Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural
19 Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
20 Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
21 Harischandrudu Nayudu, A.	Godavari East, N.-M. Rural.
22 Indrayya, C.	Godavari West, N.-M. Rural
23 Iswaran Pillai, I. C.	Tinnevely, N.-M. Rural.
24 Jagannadha Raju, Rao Bahadur G.	Vizagapatam, N.-M. Rural.
25 Jagannatham, H. M.	NOMINATED.
26 Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.
27 Jones, I.C.S., C. E.	NOMINATED.
28 Kesavaramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
29 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly <i>cum</i> Srirangam, Muhammadan Urban.

Name of member.	Name and class of constituency.
30 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural
31 Koti Reddi, K.	Cuddapah, N.-M. Rural.
32 Krishnamurti, Rao Bahadur D.	NOMINATED.
33 Krishnan, C.	NOMINATED.
34 Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.	NOMINATED.
35 Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
36 The Kumararaja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrupa Bahadur Varu).	Nellore, N.-M. Rural.
37 Kumaraswami Reddiyar, The Hon. Diwan Bahadur S. (Minister).	Tinnevely, N.-M. Rural.
38 Kuppuswami Choudari, J. . .	Guntur, N.-M. Rural.
39 Langley, W. K. M.	Madras Planters.
40 Madanagopal Nayudu, R. . .	Madras City, N.-M. Urban.
41 Madhusoodhanan Thangal, P.	NOMINATED.
42 The Maharaja of Venkatagiri (Sri Raja Velugoti Sir Govinda Krishna Yachendrupa Bahadur Varu, K.C.I.E., Lieutenant-Colonel).	North Central Landholders.
43 Mahboob Ali Baig Sahib Baha- dur.	Northern Circars, Muhammadan Rural.
44 Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
45 Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
46 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
47 Moses, P. C.	Northern Districts, Christian.
48 Muhammad Meera Ravuttar Bahadur, K. P. V. S.	Madura cum Trichinopoly, Muhammadan Rural.
49 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
50 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
51 Muthiah Chettiyar, M. A. . .	Southern India Chamber of Commerce.
52 Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.
53 Nachiyappa Gounder, K. A. . .	Salem, N.-M. Rural.
54 Nadimuthu Pillai, A. Pl. N. V.	Tanjore, N.-M. Rural.
55 Nanjappa Bahadur, Subadar- Major S. A.	NOMINATED.
56 Narasa Reddi, T.	Cuddapah, N.-M. Rural.
57 Narasimhaswami, Rao Sahib D. V.	Godavari East, N.-M. Rural.
58 Narayanan Nambiyar, V. P.	Malabar, N.-M. Rural.

Name of member.

Name and class of constituency.

- 59 Narayanaswami Pillai, Rao Bahadur T. M. Trichinopoly, N.-M. Rural.
- 60 Natesa Mudaliyar, Diwan Bahadur C. (*Deputy President*). Madras City, N.-M. Urban.
- 61 Obi Reddi, C. Anantapur, N.-M. Rural.
- 62 Palat, R. M. West Coast Landholders.
- 63 Pannirselvam, The Hon. Rao Bahadur A. T. EX OFFICIO.
- 64 Parthasarathi Ayyangar, C. R. Chittoor, N.-M. Rural.
- 65 Patnaik Mahasayo, Sriman M. G. Ganjam, N.-M. Rural.
- 66 Patro, K.C.I.E., Rao Bahadur Sir A. P. Ganjam, N.-M. Rural.
- 67 Pattabhiramayya, K. Kistna, N.-M. Rural.
- 68 The Pattagar of Palayakottai (Rai Bahadur Nallathambi Sarkarai Manradiyar). Coimbatore, N.-M. Rural.
- 69 Peddi Raju, P. Godavari West, N.-M. Rural.
- 70 Pocker Sahib Bahadur, B. Malabar, Muhammadan Rural.
- 71 Premayya, G. R. NOMINATED.
- 72 Rajagopala Pillai, P. V. NOMINATED.
- 73 The Raja of Bobbili, K.C.I.E., The Hon. Sir (*Minister*). Vizagapatam, N.-M. Rural.
- 74 The Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu). Northern Landholders, I.
- 75 The Raja of Parlakimedi (Sri Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu). Ganjam, N.-M. Rural.
- 76 Rajan, The Hon. Mr. P. T. (*Minister*). Madura, N.-M. Rural.
- 77 Ramachandra Padayachi, P. K. South Arcot, N.-M. Rural.
- 78 Ramachandra Reddi, The Hon. Mr. B. (*President*). Nellore, N.-M. Rural.
- 79 Ramakrishna Reddi, A. Kurnool, N.-M. Rural.
- 80 Ramalinga Reddi, C. Chittoor, N.-M. Rural.
- 81 Ramalingam Chettiyar, Diwan Bahadur T. A. Coimbatore, N.-M. Rural.
- 82 Ramamurti, Rao Sahib Pandit Ganala. NOMINATED.
- 83 Raman Menon, K. P. Malabar, N.-M. Rural.
- 84 Ramaswami Ayyar, T. S. Madras University.
- 85 Ramaswami Mudaliyar, V. M. North Arcot, N.-M. Rural.
- 86 Rameswara Rao, G. Anantapur, N.-M. Rural.
- 87 Ranganatha Mudaliyar, A. Bellary, N.-M. Rural.

Name of member.	Name and class of constituency.
88 Ranganatha Mudaliyar, G. ..	Tanjore, N.-M. Rural.
89 Ranganatha Mudaliyar, M. D. T.	Tinnevelly <i>cum</i> Palamecottah, N.-M. Urban.
90 Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
91 Ratnasabhapatl Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
92 Ratnavelu Tevar, P. ..	Trichinopoly <i>cum</i> Srirangam, N.-M. Urban.
93 Reid, D. M.	European, Madras Presidency.
94 Rukmani Lakshmipathi, Mrs. A.	Madras City, N.-M. Urban.
95 Russell, I.C.S., T. B.	NOMINATED.
96 Sahajanandam, Swami A. S. ..	NOMINATED.
97 Santhana G under, I.	Tanjore and Trichinopoly <i>cum</i> Madura (Christian).
98 Scott Brown, I.C.S., W.	NOMINATED.
99 Sesha Reddi, Rao Bahadur B. P.	Kurnool, N.-M. Rural.
100 Shetty, A. B.	South Kanara, N.-M. Rural.
101 Simhachalam Pantulu, Gade.	Guntur, N.-M. Rural.
102 Siva Raj, Rao Sahib N.	NOMINATED.
103 Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
104 Smith, J. M.	Madras Trades Association.
105 Soundara Pandian, W. P. A.	NOMINATED.
106 Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	EX OFFICIO.
107 Sreshta, M. S.	West Coast, Christian.
108 Srinivasa Ayyangar, T. C.	Ramnad, N.-M. Rural.
109 Srinivasan, Rao Bahadur R.	NOMINATED.
110 Sriramulu, G.	NOMINATED.
111 Stanes, F. J.	Madras Chamber of Commerce
112 Subbarayan, Dr. P. (The Zamin- dar of Kumaramangalam).	South Central Landholders.
113 Subrahmanyam Chetti, Rao Sahib P.	NOMINATED.
114 Subrahmanya Bhatt, U. C.	South Kanara, N.-M. Rural.
115 Sundara Rao Nayudu, T.	Madras City, N.-M. Urban.
116 Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
117 Thomas, Daniel	Ramnad <i>cum</i> Tinnevelly, Christian.
118 Uzielli, C.I.E., I.C.S., H. R. ..	NOMINATED.
119 Vasudeva Pillai, V. G.	NOMINATED.
120 Vedachala Mudaliyar, M.	Chingleput, N.-M. Rural.
121 Venkatarama Ayyar, K. R.	Madura City, N.-M. Urban.
122 Venkata Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K.	EX OFFICIO.
123 Venugopal Nayudu, Rao Baha- dur R. K.	South Arcot, N.-M. Rural.
124 Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.

Name of member.	Name and class of constituency.
125 Wright, Kt., Sir William ..	Madras Chamber of Commerce.
126 Yakub Hasan Sahib Bahadur.	North Arcot <i>cum</i> Chingleput, N.-M. Rural.
127 The Zamindar of Bodinayakanur (Kamaraja Pandia Nayakar, T. V. K.)	Southern Landholders.
128 The Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
129 The Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
130 The Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
131 The Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.
132 Vacant.	

Special Members.

133 Erlam Smith	Nominated for the consideration of the Madras Public Libraries Bill.
134 Krishnaswami Ayyar, Rao Bahadur K. V.	Nominated for the consideration of the Madras Public Libraries Bill.
135 Javad Hussain Khan Sahib Bahadur, Khan Bahadur.	Nominated for the consideration of the Madras City Municipal Act (Amendment) Bill.
136 Subbiah Nayudu, Rao Bahadur, R.	Nominated for the consideration of the Hindu Maths Bill.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

OFFICIAL REPORT.

Sixth Session of the Fourth Legislative Council under the Government of India Act, 1919.

Tuesday, the 29th October 1935.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

P R E S E N T :

Reddi Nayudu, <i>Kt.</i> , The Hon. Rai Bahadur Sir K. V.	Madanagopal Nayudu, Mr. R.
Pannirselvam, The Hon. Rao Bahadur A. T.	Manikkavelu Nayakar, Mr. M. A.
Souter, <i>c.s.i.</i> , <i>I.C.S.</i> , The Hon. Mr. C. A.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Bracken, <i>c.s.i.</i> , <i>C.I.E.</i> , <i>I.C.S.</i> , The Hon. Mr. G. T. H.	Muniswami Pillai, Rao Sahib V. I.
Raja of Bobbili, <i>K.C.I.E.</i> , The Hon. the Rajan, The Hon. Mr. P. T.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Muthiah Chettiyar, Mr. M. A.
Abdul Hameed Khan Sahib Bahadur. Alamelumangathayaramma, Mrs. K.	Nachiyappa Gounder, Mr. K. A.
Annamalai Chettiyar, Mr. S. A. A.	Nanjappa Bahadur, Subadar-Major S. A.
Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T.	Narasa Reddi, Mr. T.
Ari Gowder, Mr. H. B.	Narasimhaswami, Rao Sahib D. V.
Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C.	Narayanan Nambiyar, Mr. V. P.
Beyabani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Diwan Bahadur C. Palat, Mr. R. M.
Boag, <i>C.I.E.</i> , <i>I.C.S.</i> , Mr. G. T.	Parthasarathi Ayyangar, Mr. C. R.
Davis, Mr. J. A.	Patnaik Mahasayo, Sriman M. G.
Devadasan, Mr. M.	Patro, <i>K.C.I.E.</i> , Rao Bahadur Sir A. P.
Dharmalingam Pillai, Rao Sahib V.	Pattagar of Palayakottai, The.
Duraiswami Reddiyar, Mr. K. M.	Peddi Raju, Mr. P.
Harischandrudu Nayudu, Mr. A.	Pocker Sahib Bahadur, B.
Jagannatham, Mr. H. M.	Premayya, Mr. G. R.
Jayaram Nayudu, Rao Sahib C.	Rajagopala Pillai, Mr. P. V.
Jones, <i>I.C.S.</i> , Mr. C. E.	Raja of Parlakimedi, The.
Kesavaramamurti Nayudu, Mr. K.	Ramachandra Padayachi, Mr. P. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ramakrishna Reddi, Mr. A.
Krishnaïyya Choudari, Mr. P. V.	Ramalingam Chettiyar, Diwan Bahadur T. A.
Krishnamurti, Rao Bahadur D.	Ramamurti, Rao Sahib Pandit Ganala.
Krishnaswami Ayyar, <i>Kt.</i> , Diwan Bahadur Sir Alladi.	Raman Menon, Mr. K. P.
Langley, Mr. W. K. M.	Ramaswami Ayyar, Mr. T. S.
	Ramaswami Mudaliyar, Mr. V. M.
	Rameswara Rao, Mr. G.
	Ranganatha Mudaliyar, Mr. A.
	Ranganatha Mudaliyar, Mr. G.
	Rangaswami Reddi, Mr. M. B.

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PRESENT—cont.

Reid, Mr. D. M.
 Rukmani Lakshmipathi, Mrs. A.
 Russell, I.C.S., Mr. T. B.
 Sandana Gounder, Mr. I.
 Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
 Scott Brown, I.C.S., Mr. W.
 Shetty, Mr. A. B.
 Simhachalam Pantulu, Mr. G.
 Siva Raj, Rao Sahib N.
 Smith, Mr. J. M.
 Sreshta, Mr. M. S.
 Srinivasan, Rao Bahadur R.

Sriramulu, Mr. G.
 Subbarayan, Dr. P.
 Subrahmanya Bhatt, Mr. U. C.
 Sundara Rao Nayudu, Mr. T.
 Syed Tajuddin Sahib Bahadur, Khan Sahib.
 Thangal, Mr. P. M.
 Uzielli, c.i.e., I.C.S., Mr. H. R.
 Vasudeva Pillai, Mr. V. G.
 Venugopal Nayudu, Rao Bahadur R. K.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Bodinayakkanur, The.
 Zamindar of Kirlampudi, The.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

I.—CONDOLENCE MOTION *RE* THE DEATH OF MR. R. FOULKES.

The Hon. Sir K. V. REDDI NAYUDU:—“ Mr. President, Sir, before the work on the agenda of to-day is commenced, it is my melancholy duty to move, with your permission—

‘ that an expression of sincere regret of this Council at the death of one of its esteemed members, the late Mr. Robert Foulkes, be placed on record.’

“ Sir, he was the grandson of the late Mr. George Frederick Fischer who is officially described in the Madura District Gazetteer as ‘ the last of the great adventurers.’ His father, the late Rev. Thomas Foulkes, had three sons. The eldest of them is Mr. G. F. F. Foulkes who owns large estates in the Salem district and is known as the zamindar of that place. Another son of his, Major-General Charles H. Foulkes, Royal Engineers, D.S.O., was in charge of ‘ gas ’ operations in France during the Great War, and his book on ‘ gas ’ operations has recently been well received, as hon. Members are aware.

“ Born in 1873 and educated in Warminster, Wiltshire, England, Mr. Robert Foulkes came out to India at an early age to look after the coffee estates of the family in the Salem district. When Arbuthnot crashed in 1906 and when coffee went through a bad time, he joined the Madras Revenue Survey Department. He was there only for two years when, on the death of his maternal uncle Mr. Robert Fischer in 1908, he resigned his post and went over to Madura to manage the family estates there.

“ Mr. Robert Foulkes was appointed member of the Madura District Board on the 29th June 1920 and, within a month after that, he was elected as Vice-President thereof. He was elected as the first non-official President of the Madura District Board four months thereafter and he continued to hold the post without a break till March 1934 when he was appointed Special Officer by the Madras Government to implement the scheme of bifurcation of district boards. During the 13 years of the presidentship, he effected so many improvements in the administration of the board and rendered such good and valuable services to the people of the district that Government congratulated him on the efficient way

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[Sir K. V. Reddi]

in which he had been conducting the administration of the board. In recognition of his public services he was awarded a second class Kaiser-I-Hind Medal in 1923 and the title of O.B.E. in 1928.

“As president of the district board, he took a keen interest in all matters affecting the improvement of the district—the provision of pure and protected water-supply to the villages, verification of road limits, detection of encroachments, soil sanitation, scientific agriculture, bore-hole latrines, compulsory physical education and so on. He was also responsible for the provision of a magnificent building for the district board office at the cost of over two lakhs of rupees. He got liberal grants and loans from Government during the term of his presidency for the benefit of the district.

“He was nominated as a member of this Council on the 4th August 1922 and he ever since continued to be a member thereof till his death. He served on the Public Accounts Committee in 1929–30 and 1930–31 and on the select committees on the Madras Services Commission Bill, 1929, on the Madras Motor Vehicles Taxation Bill, the Madras Periyar Irrigation Tanks Protection Bill and on Mr. Birley's Bill to amend the Madras District Municipalities Act and the Madras Local Boards Act. Hon. Members are aware of the keen interest he had always taken in the deliberations of this House, especially in matters concerning public health and welfare. He spoke rarely but, whenever he spoke, he was listened to with great attention and respect.

“He passed away on the 24th September 1935 at Madras. He was a much esteemed member of this Council and I know the extent of the sorrow which this House feels for the loss which it has sustained by his death. Sir, I beg to move the motion.”

Dr. P. SUBBARAYAN:—“Mr. President, in seconding this motion, I beg to associate myself with what has fallen from the lips of the Hon. Gentleman, the Leader of the House. Mr. Foulkes was a great personal friend of mine; I feel the loss very much, and it is impossible for me to speak very much on this occasion. His public activities are well known; and his presidency of the Madura District Board will remain as a red letter as showing the way in which an European non-official administered the affairs of the district board of a district. Mr. Foulkes, though an European, was considered a great friend of the people in Madura, and his help was always available to any one who chose to go to him on any matter in which he wanted his help. He kept an open house in Madura for any guest and had entertained many distinguished people in his house in Madura. Not only the district of Madura but the whole province mourns the loss of Mr. Foulkes, because he was called a ‘clubbable’ man, a great friend not only to Europeans but also to Indians. In his death, the province has lost a very distinguished public worker and public servant.”

* The Hon. the RAJA OF BOBBILI:—“I am grateful to you, Mr. President, for having given me an opportunity to associate myself with the sentiments expressed by the Leader of the House and the

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Leader of the Opposition. As Minister in charge of Local Self-Government, I can testify to the keen interest Mr. Foulkes had always evinced in the administration of local boards and the efficient manner in which he had conducted them. Even after he had ceased to be the President of the Madura District Board, he continued to take a keen and abiding interest in the problems of local self-government and the betterment of the condition of the people in the villages. I have also had the good fortune to be associated with him in my official capacity, when he was placed on special duty with reference to the bifurcation of district boards. I can testify to the valuable services he had rendered to Government during that short period. Mr. Foulkes, although a European, had associated himself so much with the people—of the district in particular and the presidency in general—that they had always come to regard him as one among them. He had always, as has been said by the Leader of the Opposition, extended his hospitality to everyone without distinction of caste or creed. There can be no greater testimony to his popularity than his election to the District Board of Madura consecutively for a series of years, and he had always carried the confidence of the board and received the fullest co-operation at the hands of his colleagues. When I last had the pleasure of meeting him during the budget session, he was as keen as ever before in the future administration of local boards, and I never expected that his end was so near. With these words, I have pleasure in associating myself with the sentiments expressed by the hon. Mover and seconder of this motion.”

Mr. M. A. MUTHIAH CHETTIYAR:—“ Mr. President, I beg to associate myself with the sentiments expressed by the previous speakers. Mr. Foulkes’ name is very popular now, particularly in Madura. He had been a valuable Member of this House, and though he was not one who participated in the debates very often, yet whenever he took part, he was very effective. I may say he was very popular with all sections of the House and wielded considerable influence.

“ The most noteworthy feature of his career is his election to the presidency of the District Board of Madura. As the first non-official European to be elected to a representative body like the Madura District Board, and as its President for 14 years he had done very useful service, and the encomiums paid to him by all persons, including Governors of provinces, are a sufficient testimony to his merits. He identified himself with the interests and aspirations of the rural population. I should say his career is an illustration of how a non-official European could identify himself with the interests of the people amongst whom he lives. There was one thing in his private life which I should like to mention. He was always generous in his dealings and very hospitable. I think I could say he was the Prince of Madura.”

Mr. J. A. DAVIS:—“ Mr. President, I beg to associate myself with the sentiments expressed by the previous speakers. I have always appreciated the work Mr. Foulkes did in this Council. He was an

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[Mr. J. A. Davis]

example of what a President of the district board could do and how he could interest himself in the affairs of the people and be in constant touch with them."

* Mr. W. K. M. LANGLEY:—" Mr. President, I should like to associate my group and myself with this mournful resolution. The late Mr. Foulkes was not a member of this group although an European. He was a nominated member and as such he maintained a very high and independent attitude. Although he was not a member of our group, we had some sort of reflected satisfaction that he was any way a member of this House as we felt that he raised definitely by his presence the dignity of the Europeans in this House. Sufficient has already been said about Mr. Foulkes' public career. I should like to refer just briefly to the private side of his life. I am specially qualified to do so, because shortly after I came to this country, about 30 years ago, the late Mr. Foulkes was appointed to Malabar as Land Records Officer, and from that date until his death he was one of my greatest friends in India. He was an exceptionally many-sided man. There was hardly any form of sport or intellectual pursuit in which he did not excel. He was a fine tennis player, a very fine billiards player and a brilliant cricketer as anybody associated with cricket in this presidency some years ago is well aware. Apart from that, he was a wonderful lover of nature; the whole of nature was an open book to him; and to take a walk with Mr. Foulkes or to spend an evening in his company was in itself liberal education. We mourn his loss deeply, and we feel that one has departed who represented the very best possible type of non-official European in this country."

Mr. M. S. SRESHTA:—" Mr. President, Sir, as an Indian Christian Member of this House, I wish to join in the sentiments expressed by the previous speakers. Mr. Foulkes had a remarkable personality and he was popular with everybody. It has been said that Europeans do not enter into the political and social currents in this country sufficiently. That charge cannot be made against Mr. Foulkes. He made himself acquainted with all the wants of the people and took a very sympathetic view of them. The success which attended his efforts was due to this fact. The recognition that he obtained, not from Europeans only but from all classes of people, was due to the keen interest not only in the administrative problems of local bodies but also in the social and political problems of the country. If other Europeans also took the same interest in our affairs, the same success would be theirs and we shall immensely value the European element in our social work and in the work of the local bodies. With these few words I support the motion before the House."

11-15
a.m.

Rao Sahib V. I. MUNISWAMI PILLAI:—" Mr. President, on behalf of the depressed classes I would like to associate myself with what has been ably said by the previous speakers. Mr. Robert Foulkes was a friend of the poor and the depressed classes. This fact was well known to the depressed classes from the time he was elected as President of the Madura District Board. Although attempts were made to persuade

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the depressed class members not to vote for him, they solidly voted for him knowing his sympathy for them. During the last nine years of my membership of this Council, whenever I had occasion to consult him, I was able to get the best advice from him. Apart from that, his work as Special Officer has been much appreciated and his advice has been considered to be very valuable. It is a great pity that it is not given to him to see the new Reforms in operation. With these few words I associate myself with the feelings expressed in this House on this motion."

Mr. YAKUB HASAN:—" Mr. President, after the speech of Dr. Subbarayan which shows how popular Mr. Foulkes was with all sections of Indians, I need not rise to speak at all; but still, I think as a Muhammadan, I should also say a word. Sir, his popularity was not confined to any one section or two; all the people, especially of Madura, loved him as one of them. In fact it was difficult to imagine that he was a non-Indian. He was in India for such a length of time and he identified himself with Indian interests so much that but for his colour he would have been rightly considered an Indian. Sir, I associate myself with the sentiments expressed by the other speakers and express the personal loss that all of us in this House as well as outside feel at the death of Mr. Foulkes."

The motion was put and carried *nem. con.*, the whole House standing.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Prisons and Prisoners

Representations for the transfer to Bengal of Mr. Mukundalal Sircar, a prisoner confined in the Central Jail at Salem.

* 218 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) whether any applications or oral representations have been received recently for the transfer of Mr. Mukundalal Sircar, a prisoner in the Central Jail at Salem, to any of the Bengal jails; if so, when and from whom;

(b) what orders have been passed thereon and whether a copy of it will be placed on the table;

(c) if the Government have objected to the transfer, what the reasons are therefor;

(d) what the full and aggregate term is of imprisonment he was sentenced to;

(e) what the names are of prisons in this Presidency in which he has been so far kept and what the term is of his detention in each of the said prisons; and

(f) what his weights were at the time of admission in and at the time of leaving each prison and what his present weight is?

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A.—(a) No.

(b) & (c) Do not arise.

(d) Four years and two months.

(e)—

Names of prisons.		Term of detention.
The Penitentiary, Madras	..	24th to 25th April 1934.
The Central Jail, Vellore	..	26th April to 20th July 1934.
Do. Salem	..	21st July 1934 up to date.

LB.

(f) Weight on admission to the Penitentiary	...	...	117
Weight on transfer from the Penitentiary	...	...	117
Weight on admission to the Central Jail, Vellore	...	...	110
Weight on transfer from the Central Jail, Vellore	...	...	104
Weight on admission to the Central Jail, Salem	...	...	104
Present weight	...	...	108

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know Sir, whether the prisoner himself did not make any representation for his transfer to any of the Bengal jails? "

The Hon. Sir K. V. REDDI NAYUDU:—" Not that I know of, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government called for a medical report as to what caused reduction in weight? "

The Hon. Sir K. V. REDDI NAYUDU:—" I think there is sufficient material on record to show that it is not due to any outside cause. As a matter of fact, in the later stages, he has been improving."

Health condition of Mr. Mukundalal Sircar, a prisoner in jail.

* 219 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that Mr. Mukundalal Sircar has lost considerably in weight and consequently his health has deteriorated;

(b) what his weight was on the day of admission into the jail; and what his present weight is;

(c) whether it is a fact that he was given ' A ' class formerly; and

(d) what the reasons are for changing his classification? ..

A.—(a) & (b) The hon. Member is referred to the answer to clause (f) of question No. 218.

(c) The hon. Member is referred to the answer to clause (d) of the question No. 1004 answered at the Legislative Council on 23rd March 1935.

(d) Under the instructions of the Government of India, no prisoner is eligible for ' A ' class, if he is convicted of offences relating to the possession of firearms and other dangerous weapons. Mukundalal Sircar is a prisoner coming under this category.

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Diet of Mr. Mukundalal Sircar, a prisoner confined in the Central Jail at Salem.

* 220 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that Mr. Mukundalal Sircar, a prisoner in the Madras Conspiracy case, is a Bengalee and is used to fish diet;

(b) whether fish diet is allowed to him in the jail now; if not, what the reasons are for not allowing it to him and what the kind of diet allowed to him now is;

(c) whether there are any complaints that the present diet allowed to him does not suit him;

(d) how they have been or are proposed to be disposed of;

(e) whether it is a fact that he is segregated in the prison and, if so, what the reasons are therefor;

(f) whether it is a fact that the Hon. the Law Member, and the Inspector-General of Prisons interviewed the said prisoner in Vellore and Salem jails respectively;

(g) if so, whether any personal representations were made to them; and

(h) if the answer to clause (g) be in the affirmative, what the representations were and how they were or are being dealt with by the Government?

A.—(a) The answer to the first part of the question is in the affirmative. The Government have no information as to whether prisoner Mukundalal Sircar is used to fish diet.

(b) The prisoner has been placed in 'B' class and fresh fish is one of the articles included in the dietary for that class of prisoners. On medical recommendation he is now being given wheat and rice diet.

(c) No.

(d) Does not arise.

(e) Yes, because under the orders of the Government of India terrorist prisoners should be segregated from other prisoners.

(f), (g) & (h) The prisoner was interviewed by the Inspector-General of Prisons at the Central Jail, Salem, on 5th March 1935. Representations were then made by the prisoner

(i) that he should not be segregated,

(ii) that he should be allowed more books.

The prisoner was informed that his segregation would continue and that he might submit to the Superintendent lists of any particular literature he might require. As a result of the representation made by the prisoner for additional periodicals, he was permitted the use of the following periodicals:—

Champion and Federated India.

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Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether these were the only periodicals required by him? "

The Hon. Sir K. V. REDDI NAYUDU:—" Those are the only periodicals desired by him and approved by the Government. "

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know from the Hon. the Law Member whether the prisoner required any other books? "

The Hon. Sir K. V. REDDI NAYUDU:—" Notice. "

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know Sir, whether he made a requisition for certain conveniences such as easy chair, mosquito-curtain and other things? "

The Hon. Sir K. V. REDDI NAYUDU:—" Notice again. "

Death of a prisoner in the Cannanore jail due to alleged flogging.

* 221 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that about the beginning of this year a prisoner confined in the Cannanore jail was flogged while he was suffering from dysentery; and

(b) whether it is a fact that the prisoner died from the effects of shock due to flogging?

A.—(a) He was given 15 stripes for deliberately refusing to work when he was all right. At the time flogging was ordered, the Superintendent and Medical Officer was perfectly satisfied that the prisoner was free from any trace of dysentery. Two days after he developed Bacillary dysentery and died the same night.

(b) No.

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know, Sir, the interval of time that passed between the time when the medical officer pronounced that the prisoner was absolutely free from any trace of dysentery and the time when the flogging took place? "

The Hon. Sir K. V. REDDI NAYUDU:—" I take it that the medical officer examined the prisoner before the flogging was administered and found him to be in perfectly good health. "

Mrs. A. RUKMANI LAKSHMIPATHI:—" I wanted to know the interval that passed between the time when the actual flogging took place and the time when the medical officer pronounced him to be absolutely free from any trace of dysentery? "

The Hon. Sir K. V. REDDI NAYUDU:—" I think I made it clear that these prisoners have to be examined a few minutes before flogging is to be administered to them. "

B. POCKER SAHIB Bahadur:—" Did the medical officer certify that the prisoner was fit to receive the flogging intended to be inflicted on him? "

The Hon. Sir K. V. REDDI NAYUDU:—" Yes, I should think so. "

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Mr. YAKUB HASAN:—"Did it not strike the Hon. the Law Member as an extraordinary coincidence that this prisoner should have been found without any symptom of dysentery previous to flogging and that he should have developed dysentery immediately after the flogging?"

The Hon. Sir K. V. REDDI NAYUDU:—"He did not immediately thereafter develop dysentery. It was only two days afterwards that dysentery developed. I do not see anything surprising about it. Man has no control over such things."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask the Hon. the Law Member whether the Government do not consider the necessity to abolish flogging as a punishment in these modern days when it is considered an inhuman punishment?"

The Hon. Sir K. V. REDDI NAYUDU:—"It is a matter of opinion, and the authority of the Government of India would have to be invoked."

Mr. A. B. SHETTY:—"May I know whether, according to medical opinion, it is usual for a person to develop dysentery and die the same night, or this is an exceptional case?"

The Hon. Sir K. V. REDDI NAYUDU:—"I am not a medical man to give expert medical opinion."

B. POCKER SAHIB Bahadur:—"May I know if flogging did in any way contribute to the death of the prisoner?"

The Hon. Sir K. V. REDDI NAYUDU:—"Medical opinion is certainly that death was not in the least caused by flogging."

Mr. M. S. SRESHTA:—"Will the Hon. the Law Member please say what was the reason given by the prisoner for refusing to work?"

The Hon. Sir K. V. REDDI NAYUDU:—"I do not know; I think it was his political conviction."

Mr. M. S. SRESHTA:—"Was he asked to show cause why he should not be flogged? I am asking whether it is not the practice, before a person is sentenced to be flogged, that he should be asked to show cause why this punishment should not be inflicted on him?"

The Hon. Sir K. V. REDDI NAYUDU:—"Flogging comes in only after a number of offences have been committed. In this case he was given ordinary punishment on three or four occasions and this was the fourth punishment."

Mr. M. S. SRESHTA:—"In view of the importance of the question, will not the Hon. the Law Member make a stringent enquiry?"

The Hon. Sir K. V. REDDI NAYUDU:—"As stringent an enquiry as possible in the circumstances has been held and reports have been received."

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Death of D. Dorasingam, an Adi-Dravida prisoner, confined in the Coimbatore Central Jail.

* 222 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Law Member be pleased to state—

(a) whether the Government are aware that an Adi-Dravida pupil of the Ootacamund Municipal High School, named D. Dorasingam, was convicted in March 1935 and sent to Coimbatore Jail;

(b) whether the boy died in jail about June 6, 1935;

(c) whether the death of the boy was not intimated to his parents until after the boy's father sent a prepaid telegram in the first week of July;

(d) what the usual procedure adopted is in case of deaths as to informing the parents or relatives concerned;

(e) why timely notice was not given to the relatives concerned in this case; and

(f) what the Government do in a case of gross negligence on the part of the Jail authorities in this respect?

A.—(a) One convict, D. Dorasingam, a student, was admitted in the Central Jail, Coimbatore, on 31st January 1935.

(b) He died in the Jail Hospital on 10th June 1935.

(c) The facts are as stated by the Member of the Legislative Council.

(d), (e) & (f) There were no specific rules on the point. The Inspector-General has since issued a circular directing that timely intimation should be given to the relatives of the death of prisoners, removed to the Jail Hospital or the Government Civil Hospital on account of dangerous illness. Steps are being taken to amend the rules in Part II of the Jail Manual, making it obligatory on the part of the jail officials to inform the relatives of prisoners, who are dangerously ill or who die in jail hospitals.

Rao Sahib V. I. MUNISWAMI PILLAI:—" May I ask Sir, why this boy was not sent to the Reformatory school? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not know the age of the boy. I dare say it was the order of the Magistrate."

Rao Sahib V. I. MUNISWAMI PILLAI:—" How long was this boy ill in jail? "

The Hon. Sir K. V. REDDI NAYUDU:—" Notice."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know why the matter was not communicated to his parents until after the receipt of a telegram from them? "

The Hon. Sir K. V. REDDI NAYUDU:—" It was communicated a little later."

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Solitary confinement of Mr. Kalayya Chetti, a prisoner convicted in the Madras Conspiracy Case.

* 223 Q.—MRS. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that Mr. Kalayya Chetti, a prisoner of the Madras Conspiracy Case, was charged with some jail offence and accordingly sentenced;

(b) if so, what the charge was; and

(c) whether it is a fact that Mr. Kalayya Chetti is kept in solitary confinement and consequently his health has been affected?

A.—(a) Yes.

(b) Wilfully refusing to eat food prescribed by the prison diet scale.

(c) The answer to both parts of the question is in the negative.

Classification of Mr. Devanayagayya as a 'C' class prisoner.

* 224 Q.—MRS. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that Mr. Devanayagayya, convicted for sedition in the recent Tinnevely sedition case, has been awarded 'C class'; and

(b) what the reasons are for giving Mr. Devanayagayya 'C' class?

A.—(a) Yes.

(b) The convict was classified as a "C" class prisoner by the convicting Magistrate with reference to the provisions in rule 747-A of the Jail Manual.

Mr. C. BASU DEV:—"May I ask whether the Government will consider the desirability of removing the class distinctions at least among the convicts? We have enough class distinctions already."

The Hon. Sir K. V. REDDI NAYUDU:—"It is only among the convicts that there is this class distinction."

Control of Books and Printing Presses

Reasons for demanding security from the "Prabhat," a Karnataka weekly of South Kanara.

* 225 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that a Karnataka weekly of South Kanara called the "Prabhat" was asked to deposit a security of Rs. 2,000; if so, in respect of which article the security was demanded;

(b) whether he will be pleased to place on the table a copy of the offensive portion of the said article; and

(c) what provision of the Press Act the article offends and how?

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A.—(a) Yes; the security was demanded in respect of an article published on 23rd June 1935 commenting on the relief measures at Quetta. As the publisher offered an unqualified apology the notice demanding the security has since been withdrawn.

(b) A translation of the article is appended. ^a

(c) Clause (d) of sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, 1931, as amended by section 16 of the Criminal Law Amendment Act, 1932; the article tends to bring the Government into hatred and contempt.

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether bona fide criticism of the conduct of the Government is what is meant by bringing the Government into hatred and contempt? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I cannot give legal opinion sitting here."

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether there was anything beyond bona fide criticism in the article supposed to have given offence? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If it was merely bona fide criticism security would not have been demanded."

Mr. U. C. SUBRAHMANYA BHATT:—" Is it the idea that there should be no criticism on the action of the Government? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" No sensible Government would be of that opinion."

Demand of securities from newspapers and presses for publication of articles concerning the Quetta Earthquake Relief.

* 226 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state with reference to the working of the Press Act in this Presidency since the date of the Quetta Earthquake, the number of presses, newspapers and periodicals which have been called upon to furnish security for articles concerning the Quetta Earthquake and its relief and also the amount so demanded?

A.—A statement ^b is attached.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know if there is any other paper which dealt with Quetta, but did not merit the order of the Government in the matter of security? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The Hon. Member may make the question a little plainer."

^a Printed as Appendix I on pages 104–105 infra.

^b Printed as Appendix II on page 105 infra.

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Mr. U. C. SUBRAHMANYA BHATT:—"The Government have given a list of papers from which security has been demanded. I am asking whether there is any other press or paper which wrote about Quetta and went scotfree?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I have not got a catalogue of all the papers in which publications about Quetta appeared."

Government Press

Reduction of charges for the publication of insolvency notices in the Fort St. George Gazette and the District Gazettes.

* 227 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Home Member be pleased to state whether the Government have under consideration any proposal for reducing the charges for the publication of insolvency notices in the Fort St. George and District Gazettes, and if so, what it is?

A.—No.

11-30 a.m. Mr. G. RAMESWARA RAO:—"May I know, Sir, why in the case of insolvency notifications that are published, the style adopted by the Madras High Court in the form of a consolidated list in the *Fort St. George Gazette*, is not adopted by the mufassal courts so as to reduce the cost of publication?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Possibly that is a question which will have to be addressed to my Hon. Colleague the Law Member."

Labour

Measures, if any, to relieve unemployment.

* 228 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Home Member be pleased to state with reference to question No. 681, dated 22nd February 1935, whether any final decision has been reached by the Government in regard to the undertaking of schemes for the absorption of the unemployed?

A.—In view of the present economic depression and consequent unemployment among the rural population, the Government have sanctioned a scheme involving a capital expenditure of Rs. 50 lakhs for an accelerated programme of improvements to minor works of irrigation on a three-year plan. The programme has been primarily directed to strengthening bunds and, where necessary, other parts of irrigation works, and the works selected have been spread out as far as possible over the various districts due regard being had to the availability of labour, the possible working season, and to the fact that the necessity is less in certain well-favoured tracts. The programme is in course of execution.

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask the Hon. the Home Member whether the Government had any proposal under consideration for the absorption of the middle class educated unemployed? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" We had a full dress debate on the matter."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government had any schemes or proposals examined regarding the absorption of or relief to be given to the middle class educated unemployed? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" It is an impossible task for any Government to absorb all the middle class educated unemployed people."

Mr. T. S. RAMASWAMI AYYAR:—" May I know if the Government have made any attempt at all to give relief to the educated middle class unemployed—let alone the magnitude of the task? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The whole question has been examined more than once."

Mr. A. B. SHETTY:—" The answer says: ' and the works selected have been spread out as far as possible over the various districts.' May I know which districts have been left out in the scheme and why? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I should like to have notice of that question."

B. POCKER SAHIB Bahadur:—" May I know whether it is a fact that Malabar has been entirely left out of the scheme and, if so, why it was left out? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If there was anything in Malabar on which we could spend a portion of the amount of Rs. 50 lakhs, it could not have been left out."

Mr. A. RANGANATHA MUDALIYAR:—" Will the programme referred to in the answer be made available for the information of the public? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I will consider the hon. Member's suggestion."

Mr. C. BASU DEV:—" May I know if the Government have any proposal under consideration at least to prevent the increase in the number of educated unemployed? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" The matter rests completely with the parents."

B. POCKER SAHIB Bahadur:—" May I know whether it is because there is no unemployment in Malabar that it has been left out from the scheme? "

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"There must be such kinds of works which would fit in with the scheme which we have formulated and which, when put into execution, would incidentally go to relieve unemployment."

Revival of the activities of the Labour Department in the districts.

* 229 Q.—Mr. M. DEVADASAN: Will the Hon. the Home Member be pleased to state—

(a) what the new principle adopted by the Government for the revival of the Labour department in the districts in which the operation of the department was suspended is;

(b) in how many districts the Labour department is working at present; and

(c) what steps the Government are taking for the extension of the operation of the Labour department in all the districts of the Presidency?

A.—(a) & (c) The work of the Labour department was closed down in five districts in 1931-32 as a measure of retrenchment. The Government have at present no proposals in hand for reviving the operations in these districts or for extending the work to new districts. The question will be considered when funds permit. Government have not adopted any new principle in the matter.

(b) In fifteen districts.

Mr. M. DEVADASAN:—"The answer says: 'the work of the Labour department was closed down in five districts in 1931-32 as a measure of retrenchment.' May I know whether the Government ever thought of this question subsequent to 1932?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"We were constantly looking into this question and we have said that when funds are available we would extend the activities of this department."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know whether the Labour Commissioner has submitted proposals for bringing some other district under the Labour department and whether any report has been received from him?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not think any report has been received, but I know he is considering this question."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know what are the activities which will be undertaken by the Labour department if the Government decide to extend their activities?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The activities will depend upon the amount available at the disposal of the Government."

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Police

Territorial and communal representation in the matter of the recruitment of Sub-Inspectors of Police.

* 230 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(a) whether the matter of giving due share of representation to each district in the selection of Sub-Inspectors of Police in each year is considered by the Government;

(b) what the number is of vacancies of Sub-Inspectors that occurred in each year in each district, and what the number is of persons recruited for such posts in each year in each district since the year 1930;

(c) how many applications have been received for such posts in each year from each district and how many from each community; and

(d) of these, how many have been selected from each community?

A.—(a) Selection of candidates for appointment as Sub-Inspectors of Police is made on the basis of ranges. The selection is not made by the Government but by the Deputy Inspectors-General of Police in consultation with the Madras Services Commission.

(b) The information is given in the statements^a appended.

(c) The Government have no information.

(d) The information is given in statement^a No. II appended.

Mr. K. A. NACHIYAPPA GOUNDER:—"From a perusal of the statement given in the appendix in answer to this question, I find that out of the nine vacancies that arose in Salem district in 1930 only two have been selected from that district, out of nine in 1931 only two, out of three in 1932 none has been given and out of five in 1933 only one from that district has been given the chance. May I know, Sir, why such a poor representation was given to Salem even when there was a greater number of vacancies there?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Government have never considered the question of districtwar representation in any of their services."

B. POCKER SAHIB Bahadur:—"May I know why in the statement given in answer to this question no figures have been furnished about the selection made in 1935?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not know if the selection for the year 1935 has yet been completed."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know if the Government will be pleased to select the candidates on the basis of districts instead of on the basis of ranges?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am afraid I cannot give a very hopeful answer to that."

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Mr. P. V. KRISHNAYYA CHOUDARI:—"Out of the ten candidates who have been selected for the posts of sub-inspectors for the five years from the year 1930 to 1934 in the Guntur district, only four non-Brahman Hindus have been selected. May I know in what proportion the non-Brahman candidates are selected as compared with other caste candidates and why the proportion of non-Brahman Hindus is so poor?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Probably the non-Brahmans of Guntur district are too well off to seek service in the Police department."

Representations for opening an outpost police station in Elampillai village, Salem district.

* 231 Q.—Diwan Bahadur S. ELLAPPA CHETTIYAR: Will the Hon. the Home Member be pleased to state—

(a) whether any mahazar was received by the Inspector-General of Police from the residents of Elampillai and other neighbouring villages of Salem taluk for opening an outpost Police station in the village; and

(b) if so, what orders have been passed in the matter?

A.—(a) No.

(b) Does not arise.

Land Revenue Administration

Posting of outsiders to the Revenue department in Anantapur district.

* 232 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state whether persons from other districts are being brought into Anantapur district for posts in the Revenue department, such as Sub-Magistrates and Deputy Tahsildars?

A.—Since 1929 three persons have been appointed from other districts to the Madras Revenue Subordinate Service in the Anantapur district. One of these was transferred in 1929 in exchange for a Tahsildar in the Anantapur district. The other two—one, a member of the scheduled classes and the other, a Christian—were appointed as Deputy Tahsildars in 1935, as candidates belonging to those communities were not available in the Anantapur district for appointment according to the communal turn.

Reclassification of lands between one settlement and another on the basis of improvements effected by the ryots.

* 233 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have issued any order for altering the classification of lands for assessment between two settlements on the basis of the improvements done to the lands by the ryots between two settlements;

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(b) whether it is a fact that the Government of India have exempted improvements in lands after one settlement from assessment;

(c) whether this Government consulted the Board of Revenue in this matter; and if so, what their opinion was; and

(d) what are the reasons for the issue of this order by the Government?

A.—(a) No. Lands are, where necessary, reclassified at resettlement in accordance with the orders passed on the several scheme reports to which the hon. Member may refer.

(b) The hon. Member is referred to paragraph 20 of the Resolution of the Government of India printed at page 20 of the book 'The Land Revenue Policy of the Government of India.'

(c) & (d) Do not arise.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government have not issued, either by way of a confidential circular or in any other manner, any notification stating that Government have got powers to reclassify the lands between one settlement and another? "

The Hon. Mr. C. A. SOUTER:—" Not that I am aware of."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I ask whether the Government are aware that in Malabar reclassification was resorted to? "

The Hon. Mr. C. A. SOUTER:—" Malabar was reclassified under a notification which was issued before the settlement took place."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I ask whether, after the settlement, there has been any reclassification or not? I am not asking about the present policy of the Government."

The Hon. Mr. C. A. SOUTER:—" I want notice."

Applications from the proprietors of full inam villages in Anantapur district for seasonal remission of the jodi payable in 1934-35.

* 234 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Member for Revenue be pleased to state—

(a) whether any applications for seasonal remissions were received from proprietors of full inam villages in Anantapur district regarding the jodi payable in 1934-35; and

(b) What orders, if any, have been passed thereon?

A.—(a) Yes.

(b) Two were forwarded to the Collector of Anantapur district. The Government considered that no action was necessary in regard to the others.

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Mr. G. RAMESWARA RAO:—" May I know, with reference to the answer given to this question, as to when the applications were received and how they were disposed of? "

The Hon. Mr. C. A. SOUTER:—" Of the two applications received for remission, one was in June and the other in July. The Government considered that those cases were not fit cases for granting remissions. Of the two applications received one was with reference to a whole inam village and the Government did not consider in that case there was reason to grant the request of the petitioner."

Collection of process-fees in South Kanara by the Revenue officials.

* 235 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state with reference to the collection of process-fees for attachment, etc., by revenue officials in South Kanara district in general and in Puttur taluk in particular—

(a) the total amount collected in each of the taluks by way of process-fees; and

(b) whether any special extra staff was employed for serving the processes; if not, whether it was through the village officers that the services were effected?

A.—(a)—

Taluk.	Amount.		
	RS.	A.	P.
Mangalore	203	14	0
Kasaragod	200	15	0
Puttur	251	15	0
Udipi	205	0	0
Coondapoor	133	11	0
Karkal	201	0	0

Total for the South Kanara district ... 1,196 7 0

(b) Special staff of seven process-amins for the whole district was employed. Processes were also served through the village officers.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether it is not a fact that, in cases where the services of a special staff are not utilized, no process fees can be collected under the Board's Standing Order? "

The Hon. Mr. C. A. SOUTER:—" Notice, Sir."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know if the Hon. Member would look into the matter and in cases where any unauthorized process fees have been collected, see that orders are issued to refund the sums that have been collected? "

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The Hon. Mr. C. A. SOUTER:—"I may inform the hon. Member that the matter has been looked into and a report has been called for."

Mr. A. B. SHETTY:—"May I know whether the amount collected was meant for the payment of the extra staff employed?"

The Hon. Mr. C. A. SOUTER:—"I presume that the total amount of Rs. 1,196-7-0 collected as process fees would go towards the payment of the extra staff employed for this purpose."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I ask the Hon. Member whether the Government will be pleased to order the discontinuance of levying these penalties and process fees on account of the economic depression that is prevailing in the country?"

The Hon. Mr. C. A. SOUTER:—"I do not think so, Sir."

Alteration of the form of application for loans under the Agricultural Improvements Loans Act.

* 236 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Government have changed the form of application for loans under the Agricultural Improvements Loans Act; and

(b) if so, the changes made and the reasons therefor?

A.—(a) & (b) No.

Mr. P. V. KRISHNAYYA CHOUDARI:—"In view of the amendment that has been made to the Agricultural Improvements Loans Act, may I ask whether the Government will be pleased to change the form of application for loans?"

The Hon. Mr. C. A. SOUTER:—"May I ask what the amendment is to which the hon. Member refers?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"The recent amendment that has been made to the Agriculturists' Loans Act, to relieve the indebtedness of the agriculturists."

The Hon. Mr. C. A. SOUTER:—"There will be a special form for loan applications according to that amendment. So far as I know, there is no proposal for changing the form of loan application with regard to ordinary loans."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether it is not a fact that Government have already fixed certain districts for experimental purposes?"

The Hon. Mr. C. A. SOUTER:—"Government have fixed one district and a small portion of another district to see how the new Act works there."

Mr. P. V. KRISHNAYYA CHOUDARI:—"So is it not necessary on the part of the Government to change the form of loan application at least for those districts?"

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The Hon. Mr. C. A. SOUTER:—"I have already said that the new form has been prescribed with reference to loans which are granted for relieving the indebtedness of the ryots. So far as ordinary loans are concerned, there is no intention on the part of the Government to change the form."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"May I ask the Hon. the Revenue Member whether the work will be confined only to those districts from which applications for loans have been received or whether he is going to employ any special staff for this purpose?"

The Hon. Mr. C. A. SOUTER:—"I understand that Collectors have been asked, as far as possible to give figures of those cases which deserve relief under the Agriculturists' Loans Act. But before we extend it throughout the Presidency, we want to see how it works under a special staff in these two particular areas. If, as I hope, it will be a success in those parts of the Presidency, it will be extended to other areas also and if necessary special staff will be appointed for other parts of the Presidency."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know how long they are going to take for trying this experiment?"

The Hon. Mr. C. A. SOUTER:—"It all depends upon how the experiment works in these areas."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"May I know what objection the Government have to receive the loan applications from the several districts and considering them according to their merits instead of waiting for a long time to see how the experiment works in the selected areas?"

The Hon. Mr. C. A. SOUTER:—"That will come, I hope, very shortly."

Recovery of instalments due under the Agricultural Improvements Loans Act in the Guntur district.

* 237 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state whether it is a fact that the Government are collecting the instalments due under the Agricultural Improvements Loans Act in the Guntur district even in places where they have granted remissions of land revenue?

A.—The hon. Member presumably refers to cases in which season remissions have been granted by the Collector.

According to rule XXV of the Loans (General) Rules the repayment of an annual instalment may be suspended by the authority or officer, who sanctioned the loan, whenever from causes beyond the borrower's control such repayment of the instalment becomes unduly burdensome.

The Government have received a petition forwarded by the hon. Member which contains a request for the suspension of instalments due on a loan granted under the Special

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Loans Rules. It is stated in the petition that the assessment on certain lands belonging to the petitioner was remitted in the last fasli. The petition has been transferred to the Board of Revenue. The Government have no other information.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know, when the Government themselves have granted remissions for want of proper crops, why they cannot extend the term for repayment of loans under the Agriculturists' Loans Act, automatically without any application from the parties concerned? "

The Hon. Mr. C. A. SOUTER:—" The answer itself says that such remissions are granted by the Collector. So also he can grant the extension of term for repayment of loans."

Grant of loans for relief of distress in famine areas.

* 238 Q.—**Mr. G. RAMESWARA RAO:** Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that loans for relief of distress in famine areas in this Presidency are not being granted to village officers and other village servants and depressed classes, though they are pattadars;

(b) whether loans to such persons are not being granted in Anantapur district; and

(c) whether loans to such persons are being discouraged in Anantapur district?

A.—(a) to (c) The Government have no information.

Mr. G. RAMESWARA RAO:—" Sir, the answer given to this question is, 'the Government have no information.' May I ask the Hon. Member to call for the information and supply it to this House so that it may have an idea of the condition of the people of my district? "

The Hon. Mr. C. A. SOUTER:—" I think that is a matter entirely for the discretion of the Collector."

Protection of Wild Birds and Animals.

Number of cattle and people killed by wild animals in North Arcot during the last triennium.

* 239 Q.—**Mr. M. B. RANGASWAMI REDDI:** Will the Hon. the Member for Revenue be pleased to state—

(a) the number of cattle and people killed by wild beasts in the North Arcot district, talukwar, during each of the last three years; and

(b) the number of rewards awarded for shooting wild animals during each of those years in the North Arcot district?

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- A.—(a) & (b) A statement showing the number of cattle and people killed by wild animals, and the number and amount of the rewards given for the destruction of wild animals in each taluk of the North Arcot district during each of the last three years is appended.^a

Reforms

Protests against the inclusion of the Telugu parts of the Ganjam district in the new Orissa Province.

* 240 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Finance be pleased to state with reference to question No. 675 of 22nd February 1935, what orders have been received from the Government of India, regarding the inclusion of the Telugu-speaking parts of the Ganjam district in the new Orissa Province?

A.—No orders have been received on the subject.

Wireless Installations

Progress of the scheme for the establishment of a broadcasting service in the province.

* 241 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

- (a) at what stage the broadcasting scheme in this province is;
- (b) whether the expert appointed for the purpose has finished his labours and submitted his report; if so, whether a copy of the report will be placed on the table;
- (c) what the expenditure so far incurred in this connexion is and on which items it was incurred;
- (d) to which of the places the service is to be given first, and which the places are that will have it immediately after;
- (e) whether rural municipalities and towns also will get it; and
- (f) what the total estimate is of the whole scheme?

A.—(a) The hon. Member is referred to the answer given on 7th August 1935 to question No. 114.

(b) The answer to the first part of the question is in the affirmative and to the second part in the negative.

				RS.	
(c)	Pay of officers	...	...	...	24,600
	Other charges	...	...	...	10,792
					35,392
					or Rs. 35,400
					in round
					figures.

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(d) & (f) The Government of India propose to establish a 20 K.W. medium wave broadcasting station at Madras and to work it themselves. An estimate for the scheme is being prepared by the Government of India and this Government do not yet know the cost of the station to be sanctioned. This Government have no information whether at some future date the Government of India will establish other medium wave stations in this Presidency or a short wave station at Madras with relaying stations at suitable places.

(e) A certain number of receiving sets and loud speakers may perhaps, if funds permit, be provided by this Government in a limited number of towns and large villages within effective receiving range of the Government of India's medium wave station. No details have yet been considered, pending the final decision of the Government of India regarding the Madras station.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer given to clause (b) of this question, viz., 'the answer to the first part of the question is in the affirmative and to the second part in the negative', may I know the reason, Sir, why such a negative answer is given?"

The Hon. Mr. G. T. H. BRACKEN:—"Because the matter is under correspondence with the Government of India."

Local Self-Government

Fixation of the strength of the staff of municipalities as per the amended Act.

* 242 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have issued orders fixing scales of pay, designation and strength of each municipality as per the amended Act;

(b) if not, why not; and

(c) when orders will be issued on the subject?

A.—(a), (b) & (c) Government have so far issued orders in regard to the revised scales of pay of secondary and elementary school teachers and in regard to the designations and grades of and the scales of salaries and allowances payable to officers and servants in medical institutions including leprosy clinics under the control of municipal councils. The strength of the staff in the latter case has been fixed except in the case of some municipal councils in regard to which orders will issue shortly. The question of fixing the scales of pay, etc., of the rest of the staff under municipal councils will be taken up in due course.

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Savings realized on account of the abolition of taluk boards.

* 243 Q.—**Mr. P. V. KRISHNAYYA CHOUDARI:** Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have received the revised budgets of all the local bodies after the abolition of the taluk boards; and

(b) what are the savings realized by each district from its local fund money on account of the abolition of the taluk boards?

A.—(a) The answer is in the affirmative.

(b) A statement showing the total ordinary expenditure of all the taluk boards and the district board in each district during 1933–34 and the total estimated ordinary expenditure of the district boards in 1934–35 is laid on the table.* The figures do not show accurately the savings, as there may be variations in the budget due to other causes.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government will be pleased to issue a statement on the actual savings effected by the abolition of the taluk boards? ”

The Hon. the **RAJA OF BOBBILI:**—“ It is not an easy matter to get all the details. Records are not available in the Secretariat. The required information has to be obtained from the various districts. If it is possible to get all the information from the districts, I will certainly get it and furnish it to the House.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ If it is not possible to say what the savings are that have been effected by the abolition of the taluk boards, then how was it possible for Government to say at the time of introducing the Amending Bill, that by the abolition of the taluk boards they would be able to save so much? ”

The Hon. the **RAJA OF BOBBILI:**—“ We calculated on the basis of the taluk board staff which could be dispensed with, and on the basis of the savings that could be effected by way of contingencies and travelling allowance to Members and so on.”

11-45 a.m. **Mr. V. M. RAMASWAMI MUDALIYAR:**—“ May I ask whether the Hon. Minister considers that the present financial position of the district boards is satisfactory and if it is not satisfactory, what steps he proposes to take to improve it? ”

The Hon. the **RAJA OF BOBBILI:**—“ I cannot say that the finances of the district boards are satisfactory. The Government are doing all that is possible to improve the position.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ If there are no actual savings on account of the abolition of the taluk boards, at least for the sake of better administration are the Government prepared to divide the district boards into suitable divisional boards? ”

The Hon. the **RAJA OF BOBBILI:**—“ I have not stated that there are no savings. I said that it is not possible without a great deal of

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trouble to collect all the required information with regard to the present financial position from the district boards. Originally, in answer to various previous questions on the subject and also during the debate on the Bill for the abolition of taluk boards, figures were supplied to the House showing the estimated savings."

Mr. T. S. RAMASWAMI AYYAR:—"Apart from giving actual figures of savings, does the Government feel that the abolition of the taluk boards has been justified by any saving that has been as a matter of fact effected?"

The Hon. the RAJA OF BOBBILI:—"There has been a saving and the financial position of the district boards has improved as a result of it."

District boards proposed for bifurcation during the year 1936.

* 244 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) what the district boards are which are proposed to be bifurcated in the course of the year 1936;

(b) on what principles and in which order the bifurcation will be taken up; and

(c) whether the bifurcations will be completed in respect of these district boards before the new general elections come in?

A.—(a) It has not yet been decided what district boards should be bifurcated in 1936.

(b) & (c) Do not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"Apart from the districts which have so far been bifurcated, may I ask, Sir, in how many cases investigation has been commenced with a view to bifurcation in the near future?"

The Hon. the RAJA OF BOBBILI:—"Investigations are going on with regard to Chingleput, North Arcot and Ganjam."

Mr. K. A. NACHIYAPPA GOUNDER:—"Is there no investigation with regard to Salem?"

The Hon. the RAJA OF BOBBILI:—"I have mentioned the three districts with regard to which investigation is going on."

Proposal to postpone the elections to the District Boards of Trichinopoly and South Arcot.

* 245 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Trichinopoly and South Arcot District Board elections will be postponed to January next year; and

(b) if so, what the reasons are that prevail with the Government for such postponement?

A.—(a) There is no such proposal before the Government.

(b) The question does not arise.

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Appointment of staff for the conduct of elections to local boards.

* 246 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) how many units have been sanctioned for the conduct of elections as contemplated in Act XIII of 1935;

(b) what the establishment is of each unit; what the name is of the officer at the head of each unit; what his qualifications, experience and special training in this work are and what the appointment is, if any, held by him previous to this and whether each of them has been permanently taken to this place;

(c) what the special qualification and training are for the other staff of each unit;

(d) where each of the units is working now and when they are expected to complete the elections in that district; and

(e) whether a copy of the instructions issued to such staff in the matter of conduct of their work will be placed on the table?

A.—(a) Eight.

(b) Each unit consists on an average of an election officer, five assistant election officers and one clerk. Particulars regarding the names and qualifications of the election officers are given below :—

Name.	Qualifications, etc.
Abdul Khadir Schammad Sahib	Deputy Tahsildar.
Muhammad Vajiuddin Sahib	Do.
M.R.Ry. B. Ganesh	Do.
„ D. Balasundaram Pillai	Do.
„ P. M. Subrahmanya Ayyar	Do.
„ P. Srimannarayana	Do.
„ Stanis Sundararaj	Do.
„ S. Rangaswami	B.A., a clerk of the office of the Inspector of Municipal Councils and Local Boards with experience in election work.

Of the seven deputy tahsildars one has had previous experience in election work. The entire staff has been appointed on a temporary basis.

(c) The rest of the staff of each election unit has been drafted from among the lower division clerks of the Revenue Department. Previous experience as revenue inspector was insisted on in the case of Assistant Election Officers.

(d) The units are working at Ellore, Guntur, Bellary, Cuddapah, Vellore, Cuddalore, Tinnevely and Mangalore. They are expected to complete the elections as soon as possible after the electoral rolls are finally published.

(e) No.

MR. K. A. NACHIYAPPA GOUNDER:—“ May I know, Sir, whether these Deputy Tahsildars have been selected from the same district or from any district where suitable officers were available? ” -

THE HON. THE RAJA OF BOBBILI:—“ I am afraid I cannot answer the question without notice. The staff was appointed in consultation with the Board of Revenue and the Collectors.”

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Mr. P. PEDDI RAJU:—" May I ask whether there have been any complaints to the Inspector of Local Boards to the effect that the staff granted to the Inspector of Local Boards for election purposes is not satisfactory and that Divisional Officers should be appointed as Election Officers in preference to Deputy Tahsildars? "

The Hon. the RAJA OF BOBBILI:—" I am not aware of any such complaints. I shall make enquiries."

Mr. P. PEDDI RAJU:—" May I ask whether the Government have received any complaints to the effect that the Deputy Tahsildars, coming as they do from the lower ranks of the service, are not discharging their duties satisfactorily as Election Officers? "

The Hon. the RAJA OF BOBBILI:—" As a whole I can say that they have been discharging their duties satisfactorily. If the hon. Member, however, brings to my notice any particular case, I shall investigate."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask in how many districts where elections are in progress the electoral rolls have been completed and the elections are going on? "

Representations against the retrospective operation of G.O. No. 4619, L. & M., dated 20th October 1934, regarding the revision of salaries of teachers under local boards.

* 247 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether representations have been made to him that the G.O. No. 4619, L. & M., dated 20th October 1934, gives retrospective effect to the new scale of salaries for teachers and thereby prejudices old entrants; and

(b) what action has been taken on those representations?

A.—(a) The Government Order was brought into force on the 1st November 1934. Representations have been received that the new scales prejudice teachers already in service.

(b). Government have called on Presidents of District Boards and executive authorities of municipalities to submit statements in respect of those cases in which local bodies consider that there is hardship in giving effect to the above Government Order. Orders have issued on some of the statements so far received.

Mr. M. S. SRESHTA:—" May I ask whether it is not a principle that so far as Government servants are concerned, a new scale should not affect old incumbents? "

The Hon. the RAJA OF BOBBILI:—" Yes, in the case of Government service it is so."

Mr. M. S. SRESHTA:—" May I ask whether there is any reason why this same standard of equity should not be applied to the servants of local bodies also? "

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The Hon. the RAJA OF BOBBILI:—"In the case of local boards, their financial condition was not sound and the scales of pay varied so much that they bore no relation to the responsibility attached to the various posts."

Mr. M. S. SRESHTA:—"If the local bodies suffered from lack of funds, how were they able to appoint new officers like Panchayat Officers and Commissioners?"

The Hon. the RAJA OF BOBBILI:—"I understood this question referred to district boards. So I stated that, as a general rule, the Government were not able to apply to those cases the same principles as in the case of Government service."

Provision of saving clause, if any, in G.O. No. 4619, L. & M., dated 20th October 1934, in respect of old scales of pay to teachers already in service.

* 248 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Local Self-Government be pleased to state what orders have been issued by the Government on the question of granting old scales of pay to already existing teachers, in giving effect to G.O. No. 4619, L. & M., dated 20th October 1934, and if no orders have been passed, why?

A.—The attention of the hon. Member is invited to the answer given to question No. 247.

B. POKKER SAHIB Bahadur:—"May I ask whether the Government realize that giving retrospective effect to this Government Order is iniquitous?"

The Hon. the RAJA OF BOBBILI:—"The difference between the present pay and the maximum of the new scale is given as personal pay."

Mr. C. BASU DEV:—"Sir, the Hon. the Chief Minister has stated on many occasions on the floor of this House that personal pay would always be granted except in cases of unusually accelerated promotions. The new scales of pay have been in operation for one year. Personal pay has been granted in the case of some district boards, but some district boards have not recommended personal pay. May I ask what the Government propose to do in the circumstances?"

The Hon. the RAJA OF BOBBILI:—"As far as the Government are aware, they have not received any information to the effect that any district board has refused to grant personal pay. I believe I am right in saying that in the majority of cases personal pay has already been sanctioned. If the hon. Member brings to my notice any district where personal pay has not been granted, I shall look into the matter."

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Mr. M. S. SRESHTA :—“ In the case of teachers who have not reached the maximum of the old scales, may I ask whether the Hon. Minister realizes that they will be prejudicially affected by the new scales? ”

The Hon. the RAJA OF BOBBILI :—“ Yes, I do.”

Recovery of leave salaries from ex-taluk board servants as per G.O. No. 1510, L. & M., dated 15th April 1935.

* 249 Q.—**Mr. K. A. NACHIYAPPA GOUNDER :** Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether a Government Order (No. 4471, L. & M., dated 6th October 1934) has been passed in the matter of regulating leave to the ex-taluk board servants;

(b) if so, whether a copy of it will be placed on the table;

(c) whether it is a fact that many a servant of the ex-taluk boards has been allowed to enjoy the leave at his credit on the basis of this Government Order;

(d) whether a Government Order (No. 1510, L. & M., dated 15th April 1935) has been passed again regulating the leave and pension of the servants of the ex-taluk boards;

(e) if so, whether a copy of it will be placed on the table;

(f) whether it is a fact that recoveries of leave salaries drawn by the servants of ex-taluk boards after they came into the district board service on the basis of the former Government Order (i.e., G.O. No. 4471, L. & M., dated 6th October 1934) are now ordered on the basis of the latter Government Order (i.e., G.O. No. 1510, L. & M., dated 15th April 1935);

(g) if so, in how many cases such recoveries have been ordered, who the person concerned in each recovery is, what his pay and length of service under the taluk board are and what the amount involved in each case of recovery is;

(h) whether any representations have been received in this behalf; and

(i) if so, from whom and how they have been disposed of?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to the appendix to the answer to his question No. 555 answered on the 26th January 1935.

(c) Yes.

(d) & (e) The G.O. No. 1510, L. & M., dated the 15th April 1935, which is appended ^a, relates only to the grant of compensation pension, to the discharged pensionable employees of the late taluk boards. No orders in regard to leave were passed in modification of G.O. No. 4471, L. & M., dated the 6th October 1934.

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(f) & (g) The doubts raised by certain presidents of district boards in regard to the applicability of G.O. No. 4471, L. & M., dated the 6th October 1934, after the issue of G.O. No. 1510, L. & M., dated the 15th April 1935, were removed by the issue of G.O. No. 3314, L. & M., dated the 16th August 1935 (copy placed on the table)^a, with reference to which the leave salary regularly drawn by ex-taluk board servants after they were absorbed in district board service, is not liable to be recovered from them.

(h) No.

(i) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, in answer to clauses (f) and (g) the Government have said: 'The doubts raised by *certain* presidents of district boards . . . ' May I know how many presidents of district boards have raised doubts with regard to this matter? "

The Hon. the RAJA OF BOBBILI:—"I am afraid the information is not available with me."

Religious and Charitable Endowments

Appointment of a candidate as Commissioner of the Hindu Religious Endowments Board from outside the list submitted by the Selection Committee.

* 250 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Government have not appointed as Commissioner of the Hindu Religious Endowments Board a candidate who was selected by the Committee constituted for the selection of candidates for the post;

(b) whether it is a fact that a certain Government official has been appointed in his place;

(c) if so, what is the pay of the officer at present and what is the pay he will draw as Commissioner; and

(d) what is the amount of contribution payable towards his pension?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 36.

(c) The pay of Mr. Padmagirisa Ayyar who has been appointed as one of the Commissioners was Rs. 550 per mensem. His present pay as a Commissioner of the Hindu Religious Endowments Board is Rs. 650 per mensem.

(d) The rate of contribution payable towards the pension of the officer is Rs. 93-8-0 per mensem from the date of his relief in Government service and Rs. 102 per mensem from 1st April 1936 onwards.

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Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know the special reasons for borrowing the services of Mr. Padmagirisa Ayyar from Government when several other qualified Brahmans were available from outside Government service for appointment as Commissioner of the Endowments Board? "

The Hon. the RAJA OF BOBBILI:—" The Government thought that the candidate selected by the Committee was too old and as it would take a considerable time to call for further recommendations or appoint a fresh committee, in the interests of the Board they appointed an official."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that the Religious Endowments Board is not financially in a sound position and if so, what are the special reasons for appointing this officer at a cost of about Rs. 200 more than the maximum fixed for the pay of a Commissioner? "

The Hon. the RAJA OF BOBBILI:—" The special reasons are that he was a Government official and when a Government official is lent on foreign service he should be given a special pay."

Sanitary Engineering

Obligation on the part of municipalities to consult the Sanitary Engineer to Government in making appointments in the Works Department.

* 251 Q.—Mr. P. RATNAVELU THEVAR: Will the Hon. the Minister for Local Self-Government be pleased to state whether it is a fact that no person could be appointed to a post with a maximum salary of not less than Rs. 50 in the Public Works Department of a municipality except in consultation with the Sanitary Engineer to the Government?

A.—Yes.

Improvements to the water-works of the Coonoor Municipality.

* 252 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Coonoor Municipality has applied for a loan of two lakhs of rupees to improve its water-supply;

(b) whether the site for locating the water storage tank has been decided by the Council and whether it has been approved by the Sanitary Engineer;

(c) what the present storage capacity is of the two water tanks of this Municipality and what will be the storage capacity of the proposed one and whether the water-supply will be enough to meet the demand in view of the restricted supply during the season months this year; and

(d) whether the municipal council proposes to carry out the works departmentally or by contractors inviting tenders?

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A.—(a) No.

(b) The Sanitary Engineer reports that the site was tentatively fixed for the purpose of investigation and that the proposals are now under scrutiny in his office.

(c) The question as to whether the water-supply will be enough to meet the demand is reported to be under examination. No information is available regarding the present storage capacity of the two tanks or of the proposed one.

(d) This question does not arise at present.

Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, in answer to clause (c) it is stated that 'no information is available regarding the present storage capacity of the two tanks or of the proposed one'. The answer to clause (b) says that 'the Sanitary Engineer reports that the site was tentatively fixed for the purpose of investigation and that the proposals are now under scrutiny in his office'. May I know whether the Sanitary Engineer has made his report without taking into account the present storage capacity?"

The Hon. the RAJA OF BOBBILI:—"The Sanitary Engineer has not yet completed his investigation. He has only reported that the site has been tentatively fixed. It is presumed that the present supply is insufficient and that is why proposals have been investigated to augment the supply."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I ask when the final report on this matter will be received?"

The Hon. the RAJA OF BOBBILI:—"It is not possible for me to give a definite date."

Proposals for a protected drinking water-supply to Rasipur from the Panamarathupatti reservoir.

* 253 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any proposals for providing a protected drinking water-supply to the town of Rasipur in Salem district from the Panamarathupatti Reservoir when Salem is to get its water-supply from Mettur;

(b) if so, what they are and at what stage they are; and

(c) what the source is of drinking water-supply now available to that town?

A.—(a) No.

(b) Does not arise.

(c) It is reported that the town depends entirely upon well water for drinking purposes.

Mr. K. A. NACHIYAPPA GOUNDER: "May I know, Sir, whether any representations have been received in this behalf?"

The Hon. the RAJA OF BOBBILI:—"I believe certain representations were received, but no proposals have been received from the local boards concerned."

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Agriculture

Preference to candidates from professional agricultural communities in the matter of appointment as Agricultural Upper Subordinates.

* 254 Q.—**MR. K. A. NACHIYAPPA GOUNDER:** Will the Hon. the Minister for Public Works be pleased to state—

(a) how many vacancies of Upper Subordinates in the Agricultural Department have occurred in each year, including the current year, since 1930;

(b) how many applications have been received for such posts in each year, and how many have been selected in each year;

(c) of all the applicants and of those selected in each year, how many belong to the professional agricultural communities;

(d) if applicants from professional agricultural communities have not been given preference, what the reasons are therefor; and

(e) whether the Government give preference for such appointments to applicants from professional agricultural communities?

A.—(a) 1930	...	...	...	...	...	Nil.
1931	...	...	...	...	...	5
1932	...	...	...	...	...	3
1933	...	...	...	...	...	16
1934	...	...	...	...	...	25
1935	...	...	...	...	...	15

The above figures relate to longstanding officiating vacancies and vacancies caused by the creation of temporary posts only.

In 1935, 25 permanent posts of Upper Subordinate were newly created. These were filled by probationers already in the department. To take up the posts liberated by the men confirmed and to fill some more officiating vacancies which are expected to arise in the course of the year, the Commission has been requested to select 34 men. The report from the Commission is awaited.

(b) The attention of the hon. Member is invited to answers to clauses (b) and (a) of his question No. 702 answered at the Legislative Council meeting held on 25th February 1935.

(c) A statement^a is appended.

(d) & (e) The hon. Member's attention is invited to answers to clauses (c) and (d) of his question No. 702 answered at the Legislative Council meeting held on 25th February 1935.

MR. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, whether it is not the policy of the Government to give proper encouragement to members of professional agricultural communities in making these appointments in the Agricultural Department? "

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The Hon. Mr. P. T. RAJAN:—" I do not think so, because qualifications are laid down for these appointments and no preference is given to members belonging to agricultural communities."

Mr. C. BASU DEV:—" May I ask whether at least in the case of agricultural maistris who require no special qualifications, the Government would direct that men belonging to agricultural classes should be appointed? "

The Hon. Mr. P. T. RAJAN:—" Even maistris are expected to have previous training."

Mr. K. A. NACHİYAPPA GOUNDER:—" From the statement furnished I find that a number of them have applied. I think those who have applied must have possessed the necessary qualifications. Such being the case, what difficulty was there in providing at least those who were qualified and available for appointments from such professional agriculturists."

The Hon. Mr. P. T. RAJAN:—" Appointments to the Subordinate Agricultural Service are made by the Director of Agriculture in consultation with the Services Commission. And the Services Commission takes into consideration only the qualifications required of the candidates."

Provision of finance for the fruit research Farm at Anantarajupet, Cuddapah district.

* 255 Q.—Mr. K. KOTI REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount allotted (1) by the Imperial Agricultural Research Council and (2) by the Madras Government for the newly opened Fruit Research Farm at Anantarajupet in Cuddapah district; and

(b) the amount allotted for (1) lands, (2) buildings, (3) salaries of the staff and (4) working expenses?

A.—(a) The amounts allotted for the Fruit Research Farm at Anantarajupet in Cuddapah district by the Imperial Central Agricultural Research and the Government of Madras are Rs. 66,064 and Rs. 13,000, respectively.

(b) The following are the amounts allotted under the several heads:—

	RS.
1 Lands	13,000
2 Buildings	8,656
3 Salaries of staff	29,808
4 Working expenses including contingencies, purchase of plants, etc.	17,500

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Propaganda for expansion of sugarcane cultivation in South Kanara.

* 256 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether in view of the reply to question No. 143 (c) given on the 22nd October 1934, sugarcane has been substituted for paddy in any areas in South Kanara, Malabar, Coimbatore and Salem districts;

(b) if so, what the acreage is of such areas in each district;

(c) what the extent is of land under sugarcane cultivation within 10 miles of Mangalore and within 10 miles of Udipi, in South Kanara district;

(d) whether the Agricultural Department has ascertained the possibilities of increasing the area under sugarcane cultivation in these two areas, and has done any propaganda work, if there are such possibilities, to increase the area under sugarcane cultivation;

(e) what the varieties are of sugarcanes now being cultivated in South Kanara;

(f) whether attempts have been made to introduce such varieties as Co. 213, Co. 351 and M.A. 21; and

(g) if so, whether they have been successful?

A.—(a) Some cultivators have increased the area under sugarcane to a small extent during the current year in South Kanara. In Malabar sugarcane is a minor crop, but during the current year more ryots have planted sugarcane in small plots. Sugarcane has not been substituted for paddy either in Coimbatore or in Salem district.

(b) The acreage in South Kanara and Malabar districts is as shown below:—

SOUTH KANARA.

Area under sugarcane.

1934 Actual acres.	1935 Estimated acres.
3,720	4,000

MALABAR.

Area under sugarcane.

1934 Actual acres.	1935 Estimated acres.
20	40

About 280 acres of paddy land in South Kanara and 20 acres in Malabar have been newly brought under sugarcane. In Coimbatore and Salem districts there has been no such substitution.

(c) The area under sugarcane within 10 miles of Mangalore is estimated to be about 800 acres. Within 10 miles of Udipi it is estimated to be about 600 acres.

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- (d) Yes. If sugarcane pays better than paddy, the area under sugarcane will increase. It is possible to increase the area under sugarcane. The Agricultural department has this point in view.
- (e) Red Mauritius and Fiji B varieties introduced by the department are being cultivated.
- (f) Yes. Co. 213 is under district trial in South Kanara. Some twenty varieties including Co. 351 are under trial at the Taliparamba Research station, to test their suitability to the West Coast conditions. Attempts have been made to introduce better varieties of sugarcane both in Coimbatore and Salem districts. Of the three varieties referred to, only Co. 213 has been introduced in Coimbatore and Salem districts. The present area under Co. 213 is about 600 acres in the two districts.
- (g) More time is required to give a definite opinion about these varieties, in Malabar and South Kanara. In Coimbatore and Salem districts the introduction of Co. 213 has been successful.

Mr. M. S. SRESHTA:—"May I ask what propaganda work has been done by the Agricultural Department to advocate the substitution of sugarcane for paddy and otherwise foster the growth of sugarcane?"

The Hon. Mr. P. T. RAJAN:—"As far as I can answer that question now, Sir, I may say that we are merely advising the ryots to increase the cultivation of sugarcane."

Mr. T. S. RAMASWAMI AYYAR:—"May I know if the Government think that they will succeed in their attempt to have sugarcane substituted for paddy as a crop if they continue to take sugarcane as a dufassal crop?"

The Hon. Mr. P. T. RAJAN:—"I am afraid I cannot answer that question."

Mr. T. S. RAMASWAMI AYYAR:—"Otherwise what do the Government mean by saying that they are making propaganda with regard to the increased cultivation of sugarcane, if they do not facilitate growing of sugarcane by reducing the tax on it?"

The Hon. Mr. P. T. RAJAN:—"That is a matter for my Hon. Friend the Revenue Member."

Damage to coconut trees by the leaf pest.

* 257 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Public Works be pleased to state—

(a) what extent of damage to coconut trees has been caused by the leaf pest during the last three years in the South Kanara district;

(b) whether the Government called for information as to whether the ryots have realized the advantages of the methods adopted by the

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department to destroy the leaf pest, as promised by him in his reply to the last supplementary question in connexion with question No. 140 asked in the Legislative Council on 30th October 1933;

(c) if so, whether he will be pleased to place the information on the table of the House;

(d) whether there is any proposal to start again the use of parasites to kill the leaf pest; and

(e) whether any attempts have been made by the Agricultural Department to combat the attacks of the rhinoceros beetle?

A.—(a) The number of trees attacked during the last three years in South Kanara district is not known. In certain villages along the sea coast, the coconut leaf caterpillar assumed a pest form in some years, especially during the dry months of the year. In extreme cases all fronds except the central shoots are affected but the tree is not killed. During the rainy season, the pest subsides. Control measures were demonstrated in bad centres.

(b) & (c) Yes; a copy of the report of the Director of Agriculture is laid on the Table.^a

(d) There is no such proposal. The special staff sanctioned for the breeding and liberation of parasites was withdrawn as a measure of retrenchment. The parasites are now found wherever the caterpillar pest is found, in small or large numbers, and they check the pest to a certain extent. It is, therefore, considered unnecessary to breed and liberate them.

(e) The Entomological Assistant stationed in the VII Circle and the Agricultural Demonstrators concerned give advice to the ryots regarding the remedial measures to be undertaken and whenever possible demonstrations of control methods are also given. The department is also educating the ryots by means of publications such as the Villagers' Calendar. The publication mentioned above contains a popular article on the beetles damaging the coconut trees in South India and their control.

Co-operation

Reasons for refusing the registration of the Depressed Classes Co-operators' Federation, Madras.

* 258 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the co-operative propaganda among depressed classes is now carried on by the Madras District Central Bank;

(b) whether the attention of the Government has been drawn to the inadequate propaganda carried on by the above bank;

^a Printed as Appendix VIII on page 116 infra.

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(c) whether it is a fact that the Central Bank has appointed a defaulter of a co-operative society, who was responsible for several misappropriations and consequent liquidation, as a propagandist;

(d) whether it is a fact that Mr. H. M. Hood, I.C.S., former Registrar of Co-operative Societies, ordered that the defaulter should not have anything to do with the Madras City societies;

(e) whether it is a fact that the Registrar of Co-operative Societies inspected the depressed classes co-operative societies in the City of Madras during April 1935 last and the names of the various societies which he visited;

(f) whether during his inspection, there were several requests for the registration of the Depressed Classes Co-operators' Federation; if so, what his reply was;

(g) when the Registrar last inspected the Madras District Central Co-operative Bank, Limited, and whether he made enquiries as to the several complaints made by the public either by letters or through the press and with what results;

(h) what action has been taken on the several resolutions passed under the presidentship of M.R.Ry. Diwan Bahadur G. Narayanaswami Chetti Garu, C.I.E., on the 7th October 1934; and

(i) with reference to the abstract G.O. Ms. No. 949, dated 4th July 1935, communicated to the Secretary, Depressed Classes Co-operators' Federation, Madras, whether the Government will be pleased to state what the reasons of the Registrar of Co-operative Societies were to refuse 'registering' the abovesaid Federation?

A.—(a) Yes.

(b) The Government have no reason to think that the propaganda is inadequate.

(c) The Madras District Co-operative Central Bank has appointed, from July 1934, R. Rajagopal (a member of a depressed class) as a propagandist. He was a member of the Thousand Lights Co-operative Society and was heavily indebted to it. He was also its Secretary. The affairs of the Society were mismanaged by him. Its registration was cancelled. There was no case of misappropriation of funds against Rajagopal.

(d) No.

(e) Yes. The societies inspected were—

- (1) Gajendra Varada Co-operative Society.
- (2) Mackey's Garden Co-operative Society.
- (3) Narasingapuram Co-operative Society.
- (4) Wellington Co-operative Society.
- (5) Prince of Wales Co-operative Society.
- (6) Kalyanamaistry Garden Co-operative Society.
- (7) Slaterpuram Queen Victoria Co-operative Society.

(f) In two of the societies inspected by the Registrar, requests were made for the registration of the Depressed Classes Co-operators' Federation. As the Registrar had already

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carefully gone into the proposal, and had informed the Honorary Secretary that there was no need for the Federation, no action was taken by him on these representations.

- (g) On the 23rd July 1934. There is nothing on record to show what enquiries were actually made then.
- (h) In his letter forwarding the resolutions referred to, the General Secretary, Depressed Classes Co-operators' Federation, drew the attention of Government to the following three questions:—

- (1) that the appointment of special inspectors for the supervision of depressed classes' societies has not benefited either the societies or the banks which finance them,
- (2) that the City Co-operative Bank draws to itself members of the depressed classes leaving the depressed classes' societies with no proper men to manage them, and
- (3) that a rule should be framed prohibiting a paid employee of a society from serving on the board of management of that society or that a financing bank.

With regard to the first point, special inspectors have now been working under the direct control of the Deputy Registrar of Co-operative Societies, Madras, who watches their work and reviews it. As regards the second point, the City Bank caters to the needs of the rather more well-to-do among the depressed classes who require bigger loans, and the bank cannot deny such help to those who need it. As for the third point, the question of framing a rule as suggested is under consideration.

- (i) As there exists already a duly constituted body, viz., the Madras District Central Bank, for the purpose of carrying on propaganda work in the city and as that bank has expressed itself in favour of enlisting the services of honorary propagandists from among the promoters of the Federation, the Registrar of Co-operative Societies considered that there was no need for the registration of another society. Further, it was considered that the Federation, if registered, would not have sufficient funds to carry on.

Rao Sahib V. I. MUNISWAMI PILLAI:—"With reference to the answer to clause (b), may I know how many co-operative societies have been established as a result of the propaganda carried on by the Madras District Central Bank?"

The Hon. Mr. P. T. RAJAN:—"The answer says that the Government have no reason to think that the propaganda is inadequate. I do not understand how this question arises."

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Effect of the concessions under penal interest granted by the Registrar of Co-operative Societies on overdues during 1934-35.

* 259 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the results are of the Registrar's circular to co-operative societies, during the co-operative year 1934-35 allowing certain concessions in the payment of penal interest on overdues; and

(b) whether the Government have considered the question of further extending the concession and with what result?

A.—(a) The results are not yet known; they will be known only after statistics have been compiled for the departmental administration report.

(b) The following concessions have been granted for the current co-operative year:—

- (1) Reduction in the lending rates by central banks and societies on new loans to be issued by them;
- (2) no levy of penal interest on overdue loans by central banks and societies;
- (3) collection of interest for 1935-36 at reduced rates, viz., at 6 or $6\frac{1}{2}$ per cent by central banks and $7\frac{1}{2}$ per cent by societies on all outstanding loans; and
- (4) collection of interest by societies from members at the reduced rate of interest, i.e., $7\frac{1}{2}$ per cent on all outstanding loans.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, what effective steps have been taken to see that central banks and societies adopt the rates recommended? "

The Hon. Mr. P. T. RAJAN:—" The reports submitted every year to the Registrar will show whether they have been adopted or not."

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I ask whether the concession will be extended beyond the current co-operative year? "

The Hon. Mr. P. T. RAJAN:—" For the present, I believe the concessions have been granted for the current year only. If it is necessary to extend them beyond the present year, it will be done."

Public Works

Representation of the depressed classes in the cadre of the Madras Engineering Service.

* 260 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of Public Works Department Executive Engineers and Assistant Engineers and District Board Engineers now in service, belonging to the depressed class, Non-Brahman and Brahman communities; and

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(b) whether it is a fact that the Services Commission has not called for applications from depressed class candidates for these cadres as it does in the case of Deputy Collectors and Deputy Superintendents of Police?

		Depressed classes.	Non- Brahmans.	Brahmans.
A.—(a)	Executive Engineers.. ..	Nil.	4	19
	Assistant Engineers	Nil.	14	97
	District Board Engineers ..	1	5	15

(b) *Executive Engineers* belong to an All-India Service, recruitment to the service being made by the Secretary of State.

Assistant Engineers belong to the Madras Engineering Service. They are recruited from the Madras Engineering Subordinate Service by the Chief Engineer in consultation with the Madras Services Commission. No direct recruitment to this service has till now been made.

District Board Engineers belong to the Madras District Board Engineering Service. Direct recruitment to this service has been prescribed and the Madras Services Commission invites applications from all communities when vacancies occur in the service.

Education

Promotion of Indian Christians in the Telugu area as District Educational Officers.

* 261 Q.—MR. G. R. PREMAYYA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether in the past any Deputy Inspector of Schools has been promoted in the Educational department from the Christian community in the Telugu area as District Educational Officer;

(b) whether at least any of them have been drafted into the selection grade since its inception; and

(c) whether the Government propose to introduce linguistic basis in the matter of such appointments also?

A.—(a) One within the last ten years.

(b) Two.

(c) There is no such proposal at present.

MR. G. R. PREMAYYA:—“ May I know whether the District Educational Officer referred to is a born Andhra or a domiciled one? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I can say this much: that he is not a Tamilian.”

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Introduction of religious instruction in public educational institutions.

* 262 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government propose to introduce religious instruction in all public educational institutions in this Presidency; and

(b) if so, when?

A.—(a) & (b) The Government have no such general proposal under consideration.

Rules made by the Director of Public Instruction reducing the percentage of promotions in high schools.

* 263 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that the Director of Public Instruction has recently issued new rules as to the promotion of pupils in the high schools restricting the percentage of passes to a percentage lower than what it used to be in previous years; and

(b) whether copies of these rules will be placed on the table of the House?

A.—(a) No such new rules restricting the percentage of passes has been issued by the Director.

(b) Does not arise.

Educational concessions granted to the dependants of sepoys during 1934-35.

* 264 Q.—Mr. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the nature of concessions granted for the education of the soldiers' dependants in 1934-35;

(b) the total amount of expenditure incurred in that connexion under various heads; and

(c) similar figures and information regarding sepoys' dependants also?

A.—(a), (b) & (c) The educational concessions admissible to the dependants of Indian, Anglo-Indian or European soldiers who took part in the Great War are—

(1) exemption from payment of fees in schools and colleges;

(2) grant of an allowance for books, etc., to children reading in schools; and

(3) exemption from payment of the fee for admission to Public Examinations (Secondary School-Leaving Certificate Examination or the European High School Examination as the case may be).

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Figures showing the actual expenditure for the year 1934-35 are not yet available. The expenditure according to the revised estimate for the year was as shown below:—

	Institutions for Indians.	Institutions for Anglo-Indians and Europeans.
Concession No. (1).	The expenditure in institutions under local bodies is met by the local body concerned, while that in aided schools is made good to the management along with the teaching grants: separate figures are not available.	..
Concession No. (2).	Rs. 20,500	} Rs. 14,400 in the aggregate; separate figures under each of the concessions are not available.
Concession No. (3).	Rs. 700	

Cost and nature of the educational concessions granted to the dependants of sepoys in 1934-35.

* 265 Q.—MR. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the nature of concessions granted for the education of sepoys' dependants in 1934-35; and

(b) the total cost incurred in 1934-35 in that connexion under the various heads thereon?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to question No. 264.

Educational scholarships provided for by the Labour Department.

* 266 Q.—RAO SAHIB V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that several schools are not paying the scholarships for which provision has been made by the Labour Department, in view of the half-fee concessions under rule 92 of the Madras Educational Rules;

(b) whether the Government are aware that the Local and Municipal Department passed orders under date 9th March 1935 that full fees should be recovered; and

(c) whether the Government are aware that the schools put pressure on several of the students and collected full fees from them when they applied for transfer certificates and that several amounts of scholarships are still undisbursed?

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- A.—(a) & (c) The Government have no information.
 (b) It is presumed that the reference is to the recovery of fees from pupils belonging to the depressed classes. No general orders on the subject were issued by Government in the Local Self-Government Department on March 9th.

Excise

Delay in the acceptance or rejection of bids at abkari sales.

* 267 Q.—MR. G. RAMESWARA RAO: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether bids at abkari sales are not promptly accepted or rejected;

(b) whether the bids are kept in suspense till dates of resales;

(c) if so, whether the old bidders are disabled from withdrawing their bids; and

(d) whether the Government are aware that much hardship is caused to bidders by this method?

A.—(a) to (d) The Government are not aware that the facts are as suggested. The conditions applicable to abkari sales are published in advance by the Commissioner of Excise. For the latest notifications on the subject, the attention of the hon. Member is invited to the supplements to Part II of the *Fort St. George Gazette*, dated 29th January 1935 and 25th June 1935.

UNSTARRED QUESTIONS

Famine Relief

Expenditure on relief works in the Ceded districts.

268 Q.—DIWAN BAHADUR M. GOPALASWAMI MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) the amount of money spent this year on relief works in the Ceded districts till the 1st August 1935; and

(b) the amounts spent on such relief works during the course of the last twelve years?

A.—(a) The actual expenditure up to the end of March 1935 is Rs. 2,18,238. The actual figures of expenditure from 1st April 1935 are not yet available. Allotments amounting to Rs. 8,82,000 have been sanctioned for famine relief from the end of March to the end of July 1935. These figures do not include grants made to the district boards for the expansion of ordinary works to provide employment.

(b) Particulars are not readily available and their compilation would involve a great deal of time and labour.

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Irrigation

Publication of the report of the Geological Experts regarding sub-soil survey.

269 Q.—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) the result of the recent sub-soil survey by geological experts; and

(b) whether the Government will be pleased to lay on the table the report of the special officers deputed for such geological survey?

A.—The report on the results of the soil survey of the Tungabhadra Project has not yet been received by Government. It is expected to be available only in March 1936.

Progress of the Tungabhadra Project.

270 Q.—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state at what stage the Tungabhadra Project stands?

A.—The attention of the hon. Member is invited to the answer to clause (b) of question No. 159 (New No. 152).

III.—ADJOURNMENT MOTION *RE* RECONSTITUTION OF GUNTUR DISTRICT EDUCATIONAL COUNCIL.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I beg leave to move the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the issue by the Local Government, of G.O. Ms. No. 2076, Law (Education), dated 17th October 1935, regarding the reconstitution of the Guntur District Educational Council." 12 noon.

* The Hon. the PRESIDENT:—"The hon. Member may explain the urgency of the matter briefly."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, when the taluk boards were abolished, we amended the Elementary Education Act providing that the members of the District Educational Council who were representatives of the taluk boards could be considered to be representatives of the district boards. When the district boards were sought to be bifurcated, we failed to mention in the Act definitely and clearly about this point. I think we have provided in the Act that members of district boards can be members of the district educational council. I do not know the reason why the Government issued this notification one week back. The Tanjore District Board was bifurcated on 17th December 1934. The Government should have issued such a notification then after consulting their legal advisers. The Government slept over the matter. I do not know whether they

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took the opinion of the Advocate-General. In the case of Vizagapatam also, the notification was published only in the last week's gazette, though that district board was bifurcated seven or eight months ago. Though the Guntur District Board was bifurcated two months ago, they have issued the notification only now. I do not know the reason why in the case of Tanjore and Vizagapatam, the Government allowed the members of the district educational council to continue as such for a long time. If the Government can wait for some time, we can bring forward an amending Bill rectifying the mistake committed by the Drafting Department. I want to know whether the Government did not consult the Advocate-General when the Elementary Education Act Amending Bill and the Local Boards Amending Bill were passed in the year 1934. If so, what is the opinion given by him then? If they did not consult him, may I know why?

* The Hon. the PRESIDENT:—"The hon. Member need not go into the merits of the case now."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I wish to bring to the notice of the Council and of the Chair that these are pertinent points to decide that the motion is in order"

* The Hon. the PRESIDENT:—"If the hon. Member has any more pertinent points, he may mention them."

Mr. P. V. KRISHNAYYA CHOUDARI:—"In the case of Tanjore and Vizagapatam, the Government permitted the members of the district educational council to continue for a long time. I do not know whether the proceedings will be vitiated on this account. In the case of Guntur also, they may allow the present state of things to continue for some time more and the Government may bring forward legislation to ratify it. Personally I am not concerned in the matter. I have already handed over charge. I am concerned only about the districts other than Guntur."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Sir, I must submit with all respect to my hon. Friend, that the motion which he has given notice of does not raise any definite matter of urgent public importance. The Government Order to which he is taking exception consists of two parts. The first contains merely a statement that the existing members go out of office by operation of law and not by any act or order of the Government. The next portion which is really the operative portion of the order relates to the issue of a notification so as to enable the reconstituted district boards to elect their representatives. If my hon. Friend's motion is accepted and if, in pursuance of it, the Government vacate this Order, the result will be this: the existing members of the district educational council who had been elected by the Guntur District Board will cease to be members by operation of law and the two new district boards which have come in its place will have no representation at all on the district educational council. I do not think my hon. Friend will view with satisfaction or equanimity such a result. I submit the result of the motion

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being moved or accepted will be only that; the members who are at present on the district educational council will go out of office by operation of law automatically and no new members will be elected. So far as the other district boards which have been bifurcated are concerned, as my hon. Friend himself admitted, similar notifications have already been issued. I do not think I need explain why there has been delay with regard to the issue of the notifications. It is not my Friend's district educational council alone that has come in for any exceptional treatment; with regard to all district boards which have been bifurcated, the same procedure has been adopted. I may also mention for my hon. Friend's information—perhaps he knows it himself already—that in 1933 when the taluk boards were bifurcated or trifurcated in some cases, the members who represented these taluk boards on the district educational councils ceased to be members and new members who were elected by the reconstituted taluk boards took the place of the outgoing members. The same procedure is followed here also. It is on the advice of their legal advisers that the Government took such a step. My hon. Friend said that provision should have been made in the Elementary Education Act or the Local Boards Act enabling the existing members to continue. It is too late now to raise that question. I believe he was on the Select Committee which dealt with those two Bills; if he was serious about such a thing being done, that was the time when he should have raised the question. As regards his contention that these members whose terms of office have ceased by operation of law, having continued there, there may be legal difficulty about the validity of the proceedings of these district educational councils, I may assure my hon. Friend that he need not entertain any such fear. There is provision in the Elementary Education Act—section 27-A—against these proceedings being vitiated. Even if members who had no right to continue, had continued and taken part in the proceedings of the district educational council, the proceedings will not be vitiated on that account. I submit there is absolutely no ground on which an adjournment motion can be raised in this case."

* The Hon. the PRESIDENT:—"It looks as if the urgency is in favour of the Government Order. The passing of G.O. No. 2076 is in the interest of the public. The cancellation of the Government Order would create much difficulty. There is no urgency in the matter. I therefore disallow the motion."

IV.—ADJOURNMENT MOTION *re* IMPRISONMENT FOR NON-PAYMENT OF LAND REVENUE IN SOUTH KANARA.

* Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, under Standing Order No. 19, I beg leave to move that the business of the House be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the recent action of the Government in arresting and imprisoning respectable mirasidars of South Kanara district for non-payment of land revenue which has caused widespread panic and resentment in the district."

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* The Hon. Sir K. V. REDDI NAYUDU:—"Sir, I beg to rise to a point of order which would explain the objection of the Government for allowing this adjournment motion. In the first place, Sir, though the hon. Member has used the words 'mirasidars' in the amended motion which he has moved, in the original motion you will find that only one person is mentioned and his name is given there. Evidently on second thoughts, the hon. Member thought that if it is the case of only one man, it cannot be said to be of any public importance. Secondly, Sir, this is a judicial matter. The action taken by the Government was taken in pursuance of the Act—I shall presently read the section to you—and if there is any injustice committed, it is for the individual to go to court and obtain redress. This is therefore a judicial matter and cannot be discussed in this House. Thirdly, as I said, the action of the Government is in strict accordance with section 48 of the Revenue Recovery Act which runs thus:

'When arrears of revenue with interest and other charges cannot be liquidated by the sale of the property of the defaulter or of his surety and the Collector shall have reason to believe that the defaulter or his surety is wilfully withholding payment or has been guilty of fraudulent conduct in order to evade payment, it shall be lawful for him to cause the arrest and imprisonment of the defaulter'

This is the case in the present matter. If an adjournment motion is sought to be moved in connexion with an action taken strictly under the statute—and it is not alleged that such procedure cannot be followed—I should think that the motion is inadmissible for these four reasons. Firstly, there is no urgency about the matter; secondly, this is a judicial matter; thirdly, this is not a matter of public interest, considering that only one man is concerned; and fourthly, the action that has been taken is in strict accordance with an Act of the Legislature."

* The Hon. the PRESIDENT:—"I take it that the most important expression in the adjournment motion is, 'it has caused widespread panic and resentment in the district.' I do not think that the matter is not urgent. I rule the motion to be in order.

"Does any hon. Member object?"

The Hon. Mr. C. A. SOUTER:—"Sir, I rise to object to this motion, on the ground already stated by my Hon. Colleague and also on the ground that we have since received representation from my hon. Friend, Mr. Bhatt, and we have called for facts; when they get the report from the Collector, the Government themselves will pass such order as may be just in this case. I do not want to prejudge it in any way. I must say I had some personal knowledge of the particular individual in this case—when Collector of South Kanara. As I say we are enquiring into the action of the Collector; it seems to me that making a general question of this particular case is, I submit with all respect, inappropriate to this House. The report of the Collector we have called for urgently and we will deal with it urgently. I do not think that this is such a general matter as to allow an adjournment motion being moved."

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* The Hon. the PRESIDENT:—" May I point out that this is not the time to discuss the question on its merits, when I have already ruled that it is in order. Now that the Hon. Member objects, the only procedure to be followed by me is to ask the House whether the hon. Mover has got the leave of the House to move the motion, as it has been ruled to be in order. Has the hon. Member the leave of the House?"

12-15
p.m.

(More than twenty Members rose in their places.)

* The Hon. the PRESIDENT:—" The hon. Member has got the leave of the House. The motion will be taken up for discussion at 4 p.m. to-day."

V.—ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The Hon. the PRESIDENT:—" I have now to announce that the undermentioned Acts received the assent of His Excellency the Governor on the dates mentioned against each:

(1) The Madras Co-operative Land Mortgage Banks (Amendment) Act, 1935	16th September 1935.
(2) The Agriculturists' Loans (Madras Amendment) Act, 1935	18th September 1935.
(3) The Madras Village Courts (Amendment) Act, 1935	18th September 1935.
(4) The Madras City Municipal (Amendment) Act, 1935	22nd September 1935.
(5) The Madras Prevention of Adulteration (Amendment) Act, 1935	26th September 1935.
(6) The Madras District Municipalities (Amendment) Act, 1935	26th September 1935.
(7) The Madras Medical Registration (Amendment) Act, 1935	3rd October 1935.
(8) The Madras Debtors' Protection (Amendment) Act, 1935	7th October 1935.

VI.—ELECTION OF A MEMBER TO THE COURT OF INDIAN INSTITUTE OF SCIENCE, BANGALORE.

* The Hon. the PRESIDENT:—" With reference to Regulation No. 8 of the Scheme for the Administration and Management of the properties and funds of the Indian Institute of Science appearing in Notification of the Government of India, No. 1-10 (T), dated the 12th February 1926, made under sections 5 and 7 of the Charitable Endowments Act, 1890, the Director of the Indian Institute of Science has requested me to inform him of the name of the nominee of the Legislative Council on the Court of that Institute. For this purpose, the Council will proceed to elect a member, and I fix 3 p.m. to-day as the latest hour by which nominations of candidates should be presented to the Secretary.

" If the number of candidates nominated exceeds one, an election will be held between 12 noon and 2 p.m. to-morrow (30th October 1935). The candidate getting the largest number of votes will be declared elected."

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VII.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1935-36.

(1) GRANT VI—IRRIGATION (EXCLUDING CAUVERY-METTUR PROJECT)—RESERVED.

* The Hon. Mr. C. A. SOUTER:—"Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 200 under Grant VI—Irrigation (Excluding Cauvery-Mettur Project)—Reserved.'

"Sir, the reason for this grant has been given in the note^a explaining the Demands for Supplementary Grants, and I do not think I need take up the time of the House by commenting further thereon. The explanatory notes are full and clear, and I trust that the House will agree to this grant."

Mr. P. V. KRISHNAYYA CHODARI:—"I move, Sir—

'that the allotment of Rs. 200 under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved—be reduced by Re. 1.'

"Sir, the Government say that they will collect the inclusion fee at Rs. 12-8-0 for lands that are already cultivated as wet lands and at Rs. 25 for new lands. But without this inclusion fee, the Government are already in a position to realize a fairly good interest, i.e., about 15 per cent on the capital spent. In that case, why should they collect this inclusion fee as an additional tax from the ryots? In their anxiety to get their lands cultivated as wet lands, no doubt the ryots may be prepared to pay this fee; but how far it is reasonable to collect this inclusion fee is the question which Government ought to consider in these hard days. The ryots are not in a position even to pay the legitimate land revenue to the Government, so much so that the Government have been granting, annually, remission for the last four years for which we have to be grateful to them. When, on the one side Government are granting remission for wet lands, it is unreasonable, on the other side, for them to compel these ryots to pay the inclusion fee. I request the Government not to collect this inclusion fee at all. That is the reason why I gave notice of this motion.

"Another point is this: already the Government are getting a high percentage of interest on their total investment. I do not know what percentage of interest the Government are anxious to get on the investments on these irrigation projects. Is not 15 per cent sufficient? The Government are getting a lot of funds from the Government of India for 4 per cent interest. Why should they make this a commercial proposition, I want to know, instead of being helpful to the ryots who are already heavily indebted? I appeal to the Government not to collect this fee. No doubt the ryots may be coming forward, but they do so only under compulsion, not willingly. I request the Government to collect only the land revenue, and not this inclusion fee. With these words, Sir, I move my motion."

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* Sriman M. G. PATNAIK Mahasayo:—"Sir, after studying the provisions of one or two Acts, I find that the levy of the inclusion fee is entirely unjustifiable. If Government spend heavily on irrigation works, they can only levy irrigation-cess under the Irrigation Cess Act. That is a special Act enacted for that purpose, and that enables the Government to get a fit return for the expenditure they have already incurred or are going to incur on these works. There is absolutely no reason why Government should, in addition to the irrigation-cess, charge what is known as the inclusion fee. The duty of the Government is to supply water to all lands as far as possible. That is one of the duties of any Government. That duty was formerly incumbent upon the Government of India, but now this Government is charged with that duty, and the Government hold in trust all the sources of irrigation for the benefit of the people of the province. In such a case, if Government find that there is more water available than is necessary for the ayacut, they give only the surplus water to lands outside that ayacut; in other words, they include other lands also in the ayacut either temporarily or permanently. If my information is correct, they are not giving water in such cases for the full season, although I understand they charge full rates. I think that is unjust. The only return that the Government can expect in these cases is the water-cess. The Government cannot impose this fee for mere inclusion of certain lands. On the other hand, if these new lands are not included, two consequences will follow: one is that the Government will be failing in their duty to supply water, and secondly that they will be failing to take steps to increase the revenue by charging water-cess in the case of irrigation of additional lands. It is therefore a question of the Government doing only their legitimate duty. For charging this fee, the Government cannot rely on the prerogative of the Crown under which the Crown is entitled to a share of the profits of land. Therefore, I say it is perfectly illegal for the Government to charge this inclusion fee. By doing so, they are simply trying to exploit the needs of the people to irrigate lands which are not in the old ayacut. That is unjust, and I hope that hereafter at least, they won't collect such fees."

* Mr. P. PEDDI RAJU:—"Mr. President, Sir, although this question relates to the district which I represent, I am glad the motion has been made by my Friend, Mr. Krishnayya Choudari, who comes from another delta district. It may look somewhat strange to some hon. Members of the Council that Mr. Patnaik coming from Ganjam has upheld the cause of the ryots of the West Godavari delta. I may say that Mr. Patnaik presided over a ryots' conference yesterday, where this question cropped up and he has therefore known the real grievances of the people. That is why he has come here to-day as an advocate of the cause of the ryots and has explained the legal difficulties in the matter."

The first point to be taken into consideration is whether the grant should be made or not. There is no doubt that everybody is anxious that the work should be taken up. But in the explanatory memorandum it is stated that the Government will collect a premium

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for every acre of land included in the wet ayacut after the work is over. The question therefore is whether the premium should be collected or not. My first objection is this: if Government have invested any capital on the work and they want to take interest thereon, certainly that is legitimate, but if they want to realize the capital itself, by collecting a premium, I do not see any justification for the imposition of a heavy water-cess of Rs. 6-4-0. Further the Hon. the Revenue Member has gone to this locality at least on two occasions as Member of the Board of Revenue and seen the lands personally. They are regular swamps. Nothing was raised there previously except on small plots of one or two acres. Most of the land was unoccupied. The Government now want to sell unoccupied land and also to charge a premium on lands cultivated already. These tracts are mostly inhabited by very poor classes, labourers and depressed classes. Several hon. Members know that the question of nazarana was discussed here some time ago, and that the Council also passed a resolution to the effect that such a levy was illegal. In spite of it, the Government levied the nazarana fees for the whole delta, while at the same time they made a promise that all the money collected in the delta would be utilized for the improvement of the delta itself. I have been complaining every year that not a pie has been so far spent out of that money either for the remodelling of channels or for the improvement of drains in these areas.

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"Now, Sir, what is the use of collecting this money? If it is going to be utilized for any improvement for the benefit of the ryots, I would have no objection. The first point for us to consider is, as I have already stated that the whole tract is a swamp and the people inhabiting that tract belong to the depressed classes. They have no capital of their own and they cannot pay these fees. That was the difficulty they felt in the matter of the payment of the nazarana fees.

"One other point that I wish to refer to in this connexion is, as I have already submitted, that, if the money is utilized for the benefit of the cultivator, there is some consolation. But what they propose to do is, as will be seen from the explanatory note, that the expenditure will be set off against the collection. That is not what the people want. The Hon. the Revenue Member has seen the locality for himself and he also knows the drainage difficulties in that tract. In the estimate that has been prepared, there is no provision for improving the drains. The tract in that locality is not cultivated because it is a swamp. If you construct some more drainage channels the drainage difficulty in that part of the district will be solved to a certain extent.

"Another point I wish to press on the Hon. the Revenue Member in connexion with the deltaic tracts is, there are no communications. What is the use of excavating some new channel without providing for communications? You are not going to construct even a single culvert or a road. Have you not done the same thing in regard to the Cauvery-Mettur Project? I ask the Hon. the Revenue Member in all earnestness whether the Government ought not to make some sort of convenience in the shape of communications and culverts by

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providing for these in the estimates. I can understand that if the Government have done this little bit, there may be some justification for collecting such inclusion fees or nazarana. But, so far as water-cess is concerned, I do not see any justification for its collection.

“There is also another matter which I wish to bring to the notice of the Hon. the Revenue Member. He knows that in these swampy tracts, like Kolleru, the water-cess is not Rs. 6-4-0, but the total assessment is Rs. 4 or so. In this case, this tract is much worse than Kolleru and when such is the case why should they collect Rs. 6-4-0 in addition to the assessment of 12 annas which is already collected? The question now for the consideration of the Government is whether the assessment and water-cess should not be regulated according to the capacity of the land and the capacity of the owner to pay and whether Government should not consider the condition of the people who live in that tract. After all, I am certain that Government are not going to pay any heed to the advice tendered by hon. Members on this side of the House so far as the condition of the ryots is concerned. Anyhow, I appeal to the Hon. the Revenue Member as one having a personal knowledge of this tract, having visited the place and as one who knows that the people living there are very poor and mostly belong to the depressed classes—Pallis and Adi-Andhras—to see that the rates are reduced, and in the estimates a provision is made for the construction of culverts and communications, and that instead of levying a separate water-cess, there should be a consolidated assessment as in the case of the low-lying tracts in the Kolleru where the water-rate is only Rs. 4 or Rs. 4-4-0. Of course, I know in the ordinary routine of things he cannot take special notice.

“I therefore appeal to the Hon. the Revenue Member to see that something is done to relieve the ryots from this levy. That is why I am opposing the grant. If I can get an assurance from the Hon. the Revenue Member, we shall be glad to allow the grant.”

* Mr. G. SRIRAMULU:—“Mr. President, Sir, in supporting the motion of my hon. Friend Mr. Choudari to reduce the allotment in order to point out the undesirability of fixing the inclusion fees at Rs. 12-8-0 or Rs. 25 when the scheme is expected to be so remunerative as to yield a net revenue of Rs. 16,701, I would like to place before this House certain facts for the consideration of this House. I know where Losarigutlapadu village is situated. It is situated in the south of the Bhimavaram taluk. For a major portion of the rainy season in the year, this village is no more than an island. It is stated that this demand is moved for excavating a channel to the Losarigutlapadu village in the Godavari Western Delta. I do not know whether the Hon. the Revenue Member, who was for some time the Collector of old Kistna, which included the present West Godavari district, knows that this village is more or less an island for a major portion of the year. Through the town of Bhimavaram there runs a big drainage channel called Yenamadurru drain which has been in high floods for

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the last four years. Even very recently, about thirty days ago, the town was almost on the point of being inundated and all the local revenue officers including the peons were watching the canal bunds at the cost of their executive work. I think if you call for a report from the local executive officers the matter will be clear. Last year and the year before last, all the huts of the poor people on the eastern side of the drainage canal at Bhimavaram were submerged or washed away and for about a month the people were without huts and during the down-pour of rain the verandas of the offices of the Deputy Collector, the Sub-Magistrate and the Tahsildar had to be utilized by these poor people as their temporary abodes. They had to be maintained for some time from the contingent allotment. I believe that last year the local authorities might have addressed the Government that the bunds of the canal should be repaired immediately, but unfortunately for the people of the Bhimavaram taluk, no steps were taken towards the repair of the banks of the drainage canal, and as a result, the whole town was more or less on the point of being inundated this year and the people lower down were prepared for the worst when the current was at its height. Sir, this drainage canal runs right through the town of Bhimavaram. Now, they (the Government) want to excavate a channel to the Losarigutlapadu village. I may say in this connexion that if the authorities excavate a canal with the funds which we may sanction, that canal also will be submerged for a major portion of the year. Sir, this Yenamadurru drain washed off so many huts this year and also a large acreage with standing crop in the villages of Yenamadurru, Dirsumarru, Taderu, Komarada, etc. I would also like to draw the attention of the Hon. the Revenue Member to the fact that this year thousands of acres of paddy fields have been washed away by this drain and the ryots of the said villages are likely to become paupers in short. It is all due to the negligence of the Government because they did not take steps early to improve the banks of the drainage canal and thus improve the condition of the ryots of the locality. When such is the condition of the ryots, what will be the state of affairs of the people of this tract if such a levy of inclusion fees is made from the residents of Losarigutlapadu, Vemuladevi and other villages? Before the canal leading to Losarigutlapadu is excavated, I think it is absolutely necessary to put up a strong embankment to the Yenamadurru drain. I therefore appeal to the Hon. the Revenue Member to see that before any allotment is sanctioned, what is necessary for the ryots of the locality is immediately done. To that extent, I support the motion of my hon. Friend Mr. Krishnayya Choudari."

* The Hon. Mr. C. A. SOUTER:—"Sir, I think it is perhaps better to clear the situation a little. It seems to me that hon. Members who have supported this cut motion have rather mixed up two things. One is the proposal as regards Losarigutlapadu and Vemuladevi for which I have moved this demand, and the other is the general question of culverts, drainage and so on. I think it better that we keep these two subjects apart. So far as the question of culverts, drainage and so on go, I may assure hon. Members that we shall do all we can to

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improve matters there. For instance, as regards the Yenamadurru drain, I should hesitate to say how many lakhs we have already spent on it, and we are still endeavouring to bring it into some sort of order, and I assure the House we shall continue our endeavours in that direction.

“But, as regards the specific reason for the proposed cut in this motion, that is to say, the inclusion fees, I think hon. Members who have spoken on that have omitted to notice that part of the scheme is the acquisition of already existing works which two separate companies, one in each area, have already constructed. We propose to acquire those works from them and bring them into our general scheme. Hon. Members will notice on pages 3 and 4 of the note, that the acquisition of those works will cost in one case about Rs. 17,500 and in the other case very nearly Rs. 19,000; and most of the inclusion fees which it is proposed to be levied will be spent on these acquisition proceedings. That is one reason particularly in this case, why there is considerable justification for collecting these inclusion fees. Another reason is, Sir, that practically in the whole of this delta, except on the Godavari Eastern Delta where special reasons exist, these fees have been collected and also in the majority of cases have been paid very willingly by the ryots—those who are going to be benefited by any new scheme. I may take for instance the scheme which is going on now—the East Bank Canal. There, except in the case of two villages only, all the rest have willingly agreed to pay the inclusion fees and in this particular case the Collector has been assured that the ryots are willing to pay those fees. It seems to me that we cannot show any invidious distinction in these two cases in which without exaggeration, we do intend to improve very considerably the present situation of the ryots there. If the ryots find that the payment of this sum in one lump sum is inconvenient, Government will always be prepared to consider the collection, as we have done in some other cases of these inclusion fees, in instalments so as not to embarrass the ryots too much. As I say, our case rests on these two things—not only on the general principle that the inclusion fees are in most cases willingly paid by the ryots and have been paid in practically every case, but that we are actually acquiring existing works. If this cannot be met from inclusion fees, it will have to go into general estimates and thereby reduce our returns..

“May I also point out to hon. Members that if this cut motion is carried—it is only a token motion—the balance of the money will have to be found by reappropriation. If this cut motion is carried, the total sum we shall be entitled to spend on all these works will be Rs. 199. For these reasons, Sir, I must oppose this motion.”

* The Hon. the PRESIDENT:—“Is the hon. Member pressing his motion?”

Mr. P. V. KRISHNAYYA CHAUDARI:—“I want to say something by way of reply . . .”

* The Hon. the PRESIDENT:—“I do not think on a cut motion like this the hon. Member has got a right of reply.”

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Mr. P. V. KRISHNAYYA CHOUDARI:—"Because it is a very important question, Sir, I feel it is necessary for me in this case to say something.

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"I just want to bring to the notice of the Hon. the Revenue Member that there are lands which cost only Rs. 50 or Rs. 75. I am prepared to produce the registered documents and other irrefutable proof in support of my statement. I feel that this is a grievance which ought to be redressed. But I do not want to press the cut motion and stand in the way of the present scheme. I beg leave to withdraw the motion."

The motion was by leave withdrawn.

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, I beg to move—

'to reduce the token demand of Rs. 200 under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved by Re. 1—

- (i) *to discuss the policy of Government in undertaking such schemes and the scope for easy expansion of them;*
- (ii) *to elicit information about the total ultimate cost of each of the schemes including works, the water-rate to be charged in the area, the varying periods of the staff to be employed and such other information; and*
- (iii) *to point out the necessity of obtaining the written consent of the companies and others even before the grant is moved.'*

"The object of the cut motion is to elicit information which has not already been furnished in the explanatory note. It is said that Losarigutlapadu village has an area of 13,600 acres and it is proposed to provide irrigation facilities only in respect of 3,678 acres. With regard to the Vemuladevi area, out of 6,570 areas only 3,199 acres are to be brought under irrigation. I think that, all these being situated in the deltaic area on level ground almost, it should be possible to bring a much larger percentage of area under irrigation, and I would like to know if the Government have considered the possibility of expanding these schemes so as to give full benefit to the ryots of the area and thus earn an income. Even in respect of this limited area, the Government expect a return of 10.4 per cent in the one case and 8.9 per cent in the other. Since they are so highly remunerative, I wish to know if the Government cannot push up the schemes further so that a larger area may be brought under cultivation and the Government may get a more substantial income.

"Further, Sir, I am not able to know what water-rate the Government propose to collect in that area. I desire to ask the Government, as has been suggested by the hon. Member representing the West Godavari district whether it will not be possible to reduce the rates, seeing that the Government are able to get a considerably high percentage of income from these schemes.

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“Sir, with regard to the other expenditure on the scheme excluding the cost on establishments, I am not in a position to know it. I would like to know what the total amount that is to be incurred on this project is, including the works that are to be completed under the two schemes.

“With regard to the staff, I am not able to understand clearly why there are varying periods for the Public Works Department staff. They say that the Assistant Engineer is required for three years; but they want a staff of eight overseers for a period of seven months only and I do not also see why a staff of overseers is not provided for the Assistant Engineer after that period.

“The last point that I wish to raise is that the consent of the company ought to have been obtained before the Government came up to the House with these proposals asking for a grant. I would prefer the conditions being clearly set out and their consent obtained even before we were asked to accord sanction for the funds. If, ultimately it so happens that the conditions that are prescribed are not acceptable either to the company or to the individuals concerned, it may lead to a critical position that the scheme will have to be worked out at considerable difficulty and thrust as a bitter pill. I think that in order to avoid such a contingency it would have been better if their prior consent had been obtained earlier, before the project assumes a final shape and is sanctioned. It is with a view to making these few observations and for eliciting information on the points that I have raised, I move the cut motion.”

* The Hon. Mr. C. A. SOUTER:—“Mr. President, I am a little doubtful what the intention of my hon. Friend is in moving the cut motion. The note seems to be pretty explicit and he could have seen that the cost of excavating a channel, works including special revenue staff, is Rs. 1,02,431. If you take off the cost of the special revenue staff from that you can get the net cost of the works. Again, the total cost of the works on the channel to Vemuladevi village is Rs. 1,18,630. This is given in the explanatory note itself.

“The water-rate to be charged is, I think, the usual rate charged in the deltas, namely, Rs. 6-4-0 an acre. That I think the hon. Member will agree compares very favourably with the water-rates charged in Salem and Tanjore and any reduction there would, I think, be properly resented in Tanjore or Salem. The rate in the Godavari and Kistna deltas is usually Rs. 6-4-0 an acre and that, Government considered, is not an excessive charge.

“The hon. Member asked why the staff is appointed for various periods. On page 3 of the note, he will see that the preparation of detailed estimates and the execution of the work necessitate the formation of a special work division. Necessarily some part of the staff would be employed for shorter periods than the others. I do not think there is anything very mysterious about this. The staff has been proposed in consideration of the length of time that each particular part of the staff would be required on the work.

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“ I may say that those ryots who are concerned in this area have been consulted in this matter and are perfectly aware of the conditions which will be imposed and in order to make the position of the Government safe, we propose as stated in pages 3 and 4 of the note to get the consent of the companies who are mainly concerned with these areas, before we actually start the work.

“ Honestly, Sir, it is difficult for me to see what the reason for the cut motion really is. The necessary information has been given in the explanatory note and I am afraid I must oppose the motion.”

The cut motion was by leave withdrawn.

The demand was put and carried and the grant was made.

^a (2) GRANT XI—MINISTERS, CIVIL SECRETARIATS AND
MISCELLANEOUS—TRANSFERRED.

* The Hon. Sir the RAJA OF BOBBILI:—“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

‘ that the Government be granted a further sum not exceeding Rs. 13,300 under Grant XI—Ministers, Civil Secretariats and Miscellaneous—Transferred.’

“ This amount is required for meeting election expenses in panchayats. The usual practice is that the expenditure is, in the first instance, incurred by the Government and then recovered from the panchayat boards concerned. In past years, the amounts recovered from these panchayats were being adjusted in abatement of the charges actually incurred and only the balance was being shown. The Accountant-General has brought it to the notice of the Government that such a procedure is objectionable according to the audit rules and suggested that the recoveries should be credited as receipts under the proper head. The Government accepted the suggestion. But by the time this order was issued, the current budget has already been framed and it was not possible to make the necessary changes then and there. It is merely a question of adjustment of accounts which has made it necessary to come up before this House for the sanction of this grant.”

* The Hon. the PRESIDENT:—“ Notice of three cut motions in respect of this demand has been received. One deals with the general policy of conducting elections in non-panchayat areas, the second with the furnishing of electoral rolls at reduced cost and the third deals with the representation of depressed classes in non-panchayat areas. I think that, as the grant is mainly intended for making certain adjustments between the Government and the local bodies, the cut motions cannot usefully be discussed on this particular demand.”

The demand was put and carried and the grant was made. e.

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(3) GRANT XXIX—CIVIL WORKS—WORKS—RESERVED AND TRANSFERRED.

* The Hon. Mr. P. T. RAJAN:—"On the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 100 under Grant XXIX—Civil Works—Works—Reserved and Transferred.'

"The reasons for constructing new buildings and the urgency thereof have been explained in the explanatory note*. It is proposed to construct certain portions of the hospital this year and the amount required in the current year for this purpose, i.e., Rs. 10,500 can be met by reappropriation from the savings within the sanctioned grant for civil works expenditure. But the scheme as a whole costs us over 6 lakhs of rupees and as such it constitutes a new service.

"So it is proposed to move the demand for a token sum under Grant XXIX for Works. I do hope the House will accept the motion and pass it."

* The Hon. the PRESIDENT:—"Hon. Member Mr. Nachiyappa Gounder will be in order to move the second part of his amendment."

* Mr. K. A. NACHİYAPPA GOUNDER:—"I move to reduce the allotment of Rs. 100 by Re. 1, to elicit information about the disposal of the existing building since you say that I will have to confine myself to this part alone. It is stated in the explanatory note that the building is too old and that the hospital is in need of a new building. The disposal of the old building has not been mentioned anywhere here. I hope the Hon. Minister will furnish information as to what the Government propose to do with the present old building, whether it is to be put to some other use or demolished altogether. For want of such information I am moving this cut motion."

* Mr. P. PEDDI RAJU:—"I am supporting my friend who asks for some information. In congratulating the Minister in attempting to have a good hospital in Cocanada, I have to say this. Government has not tackled the question of building hospitals in any regular manner. The question is whether they have any definite scheme for the whole Presidency or are taking a hospital here or a hospital there according to individual fancy. Why I am asking this question is this. So far as the Cocanada hospital is concerned it is no doubt bad. But the hospital in Ellore cannot be called a hospital but a pig sty. The Hon. the Law Member knows the locality. (The hon. the Law Member: 'I know both.') It cannot be inhabited by human beings, much less by suffering people. I have raised this question oftentimes and the promise is always made that the matter will be taken up next year. So I want to know what steps are being taken up."

* The Hon. Mr. P. T. RAJAN:—"Sir, I am not exactly in charge of the department and so I am afraid I cannot give the answer in detail.

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I can say this much on behalf of the Government that whenever funds permit Government will certainly take up questions of putting up new buildings and giving all facilities, whether in Rajahmundry, Ellore or Erode. It is only a question of funds. I do hope that ere long when Government is in a prosperous condition they will be able to devote some funds for construction of hospitals elsewhere. The second point raised by Mr. Nachiyappa Gounder was with regard to the present building. I believe it will be sold or put to some other useful purpose. I hope this explanation will satisfy my hon. Friend."

The cut motion was, by leave, withdrawn.

The demand was put and carried and the grant was made:

(4) GRANT XXXII—FAMINE RELIEF—RESERVED.

* The Hon. Mr. C. A. SOUTER:—"Sir, on the recommendation of His Excellency the Governor I beg to move—

'that the Government be granted a further sum not exceeding Rs. 14,39,800 under Grant XXXII—Famine Relief—Reserved.'

"Here again, Sir, the explanatory note^a gives the reasons for this demand. The House is aware that there had been famine unfortunately in the districts of Anantapur and Bellary. When the budget was framed for the current year a sum of Rs. 1,25,000 was fixed for expenditure on famine. Very unfortunately, as we are all aware, famine lasted a considerable time and ended only with the rains which luckily fell in those districts during the months of August and September. The consequence is that we had to incur a further expenditure of Rs. 14,39,800 in these famine areas. This sum of course may be met, if this hon. House is pleased to pass the grant from the famine relief fund. The details of this expenditure would be found summarized at the very end of the note and it will be noticed there that something like 85 to 90 per cent of the money has been spent on actual relief works and gratuitous relief and only a little less than one lakh has been spent on establishment. I trust therefore this House will pass the demand. Sir, I move it."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I beg to move—

'that the allotment of Rs. 14,39,800 under Grant XXII—Famine Relief be reduced by Rs. 100 to elicit information about the nature of the works done, estimated cost of the works, etc.'

"In this connexion I cannot refrain from congratulating the Hon. the Revenue Member for the bold and very sympathetic move he made for the relief of the famine stricken area. It is very generous of him and the Government to rise to the occasion and relieve the suffering humanity of those parts. It has been very good of the Hon. the Revenue Member to have exceeded the allotment a great deal. But here having appreciated his liberality I want to know whether any substantial

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works have been done in those areas or simply works like the putting up a road here and mending a tank there. That is the only point on which I like to have some information. So, Sir, I shall be quite satisfied if the Revenue Member furnishes such information as is available with him."

Mr. T. S. RAMASWAMI AYYAR:—"As regards this supplementary demand, Sir, we find that the supplementary demand is for a sum of Rs. 14 lakhs whereas the original demand itself is for something like a lakh. No doubt as the Revenue Member himself said, the prolongation of the famine conditions evidently necessitated the Government asking for a supplementary grant. I do not quarrel with the Government for asking the supplementary grant. But one fact that is noteworthy and that has to be taken into account by this Council is this. No useful purpose will be served by spending morties for famine relief by merely asking people to work on roads or tanks which just pays the labourers who are there. Government should have a special policy of preventing famine and trying to give relief when famine conditions prevail. Many hon. Members of this House have brought to the notice of the Government more than once that Government have not been following the right policy with regard to famine relief. In the Ceded districts there have been many projects which have not been taken up because the Government considered them as not remunerative. Criticism from this side of the House has always been, at least in the case of the Ceded districts which are considered a famine zone—a black spot in this Presidency—that the Government should not view the works merely from an economic point of view. Works should be taken up though they are not productive; they can be called protective works. This House will always be inclined to vote for large sums of money being spent if only Government will take up the execution of works in the Ceded districts which have been dropped merely because they are not productive and remunerative. From this, Government expects very big returns. It may be right in other cases, but where famine conditions prevail and you want to prevent famine, these principles should not be applied. I think, Sir, it is not right that in the twentieth century people should say that in the midst of plenty and when there is a fall in prices, one district should be suffering from want of foodstuffs. Now that the Tungabhadra Project is likely to be taken up, I am glad it will go a great way to relieve these districts in that area. But that is a very big project and will take long time to be finished. Meanwhile there are small projects and minor irrigation works which Government should take up immediately and execute. I find such works are not taken up by the Public Works Department because they do not come under the rules of the department. I think, Sir, these rules should be liberalized with a view to see that the Public Works Department spends money on irrigation works and not merely on quarrying or laying of roads. I think it is only tinkering with the main question. Government should certainly come forward with large schemes. When we have got ten-year plans and five-year plans put forward by Government, when large sums are available not only from

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this Government but from the Central Government, I do not see why Government should be niggardly in this matter. I certainly join my friend in thanking the Revenue Member for the generous manner in which he has come forward to give relief to the districts. But this is not the only way in which relief can be given. It is a much bigger question and cannot be tackled in the form in which it has been presented. Therefore I feel that Government should have a bolder programme and a forward policy with regard to the Ceded districts."

Rao Sahib V. I. MUNISWAMI PILLAI:—"I rise to support this demand, but I would like to point out that the note as presented is not complete in itself. We would rather like to have fuller details in respect of the road works and bridges that have been constructed and other details concerning the various works that are undertaken as famine relief measures. If it is not possible now, at least in the future years it may be given."

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* The Hon. Mr. C. A. SOUTER:—"Mr. President, Sir, I may inform my hon. Friends, Mr. Nachiyappa Gounder and Mr. Muniswami Pillai, that I have myself visited practically every work which engaged the people in the famine areas. A large number of works consisted in the making of roads and bridges, but I cannot give straight-away what the proportion of the expenditure was on these items. But this I can say, that under the very close supervision of the Executive Engineer and the Famine Commissioner, all these works were carried out in an extremely thorough manner. I motored many miles myself on these roads and was struck with the admirable way in which the work has been carried out and I may assure the hon. Members that no money will be wasted. But apart from these road works, a very considerable number of village works were also put through, such as, village water-supply and so on. Under my orders, a considerable number of supply channels were put in good order. Also there were village relief works carried on. They consisted to a large extent in repairing the existing irrigation works. I think hon. Members must realize that in famine works we are dealing mostly with unskilled labour and not skilled labour, and if such work is undertaken in which masons and carpenters have to work, it would be a sheer waste of money.

"It must be remembered that we are dealing with very unskilled labour. In the district of Bellary, in the famine areas which consist entirely of black cotton soil, hon. Members will realize at once that minor irrigation works are practically non-existent. There may be tanks, but they are vakkaranis or small drinking water tanks which are not used for irrigation purposes at all. That leads me to one other comment, which is that the carrying out of a large programme of minor irrigation works there would probably be infructuous. Money spent on these schemes in the past, to our sorrow, has been wasted, and therefore any large scheme of carrying out minor irrigation works has to be very carefully considered with reference to

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catchment area, rainfall and other things. These districts cannot be compared with the other districts in the Presidency and any general remarks would not apply to them.

"As one hon. Member said, if the Tungabhadra scheme comes to completion, it will solve our difficulty and we shall be able to have an unfailing supply of water which under the present conditions we cannot possibly have. Hon. Members unacquainted with these districts may not be able to realize these difficulties. I may point out that the Government in the course of three years will be spending something like 50 lakhs of rupees in repairing the existing sources of irrigation. I understand from the Board of Revenue that the allotment for this year comes to Rs. 14 lakhs; to Anantapur alone they have allotted not less than Rs. 75,000. That is in addition to any money spent during the famine operations. When the Collector attempted to carry out some of these minor irrigation works in Anantapur from the special grant he could not get labour which probably will be forthcoming when agricultural operations have ceased. The difficulties in these areas are not difficulties which we generally meet in other parts of the Presidency, and the Government do all they possibly can with the material at hand to put through such measures as are feasible and not likely to be a failure. I hope, Sir, with these remarks of mine I have answered those criticisms which hon. Members have put forward and that this grant will be passed."

* Mr. K. A. NACHIYAPPA GOUNDER:—"I beg leave to withdraw my motion."

The cut motion was, by leave, withdrawn.

The demand was put and carried and the grant was made.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

VIII.—A BILL FOR THE IMPOSITION AND LEVY OF LICENCE FEES ON THE SALE OF TOBACCO IN THE PRESIDENCY OF MADRAS (BILL No. 17 OF 1935).

* The Hon. Mr. C. A. SOUTER:—"Sir, I beg leave to introduce a Bill^a for the imposition and levy of licence fees on the sale of tobacco in the Presidency of Madras (Bill No. 17 of 1935).

"Hon. Members will, I think, sympathize with me when I confess to a feeling of some diffidence in introducing a measure of taxation at a time when the general cry is for reduction of taxation; but I think this Honourable House, after hearing what I have to say, may perhaps think that my diffidence was misplaced (laughter) and that I have considerable justification in introducing this Bill, as I now do.

"In the Statement of Objects and Reasons attached to the Bill you have been given succinctly the Government's reasons for bringing

^a Published in the *Fort St. George Gazette*, dated 8th October 1935.

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forward this measure. What I now propose to do is to expand those objects and reasons and to give you at some length, I am afraid, the reasons of the Government for introducing this measure. I understand my Hon. Colleague, the Finance Member, will in the course of the debate, explain to you the general financial situation of this Presidency. I do not therefore propose to go into the general aspect of that question, but to confine myself to the one or two items with which my department is particularly concerned and which between them bring in a large proportion of the revenues of this Presidency. I refer of course to the Excise Department and to the Revenue Department. As far as the Excise Department is concerned, although I have no personal part in its administration, yet, the Revenue Department is the collecting department for it and that is directly under my charge.

"New, Sir, it must be obvious to anyone who has studied the revenues of this Province for the last four or five years that these two departments, which, as I have said, bring in between them something like 80 to 85 per cent of our total revenues, have ceased to be expanding departments. In other words, if the functions of Government which are expanding have to go on you cannot rely on either of these two departments to bring any revenues which will meet the growing needs of this Presidency in general. Indeed it is more than possible, it is even probable, that the revenues from these two departments, instead of expanding, will decrease. It is just possible, so far as the Excise Department goes, that if there is a wave of prosperity in the country we may get back the maximum revenue which we have got from that department in the past. But, so far as one can see, that time is very far distant. As regards the Revenue Department, on the contrary, the whole trend of thought now seems to be that that department has reached the limit of its expansion; in fact, in many quarters there is an insistent demand that the revenue from it should be reduced. This has been particularly noticeable this year and in the previous year. We all hope, of course, that the reason which actuated the demand for the reduction in land revenue will be only temporary, but we cannot possibly rely upon it and I think it is an undoubted fact that before we can get back to the position of the Revenue Department, say five years ago, prices will have to increase very considerably over what they are now. There are signs, definite and promising, that the prices of agricultural produce are on the increase, but, as a Government, we cannot possibly rely on that fact as showing that this increase will go on and that we can confidently rely on our present source of income from land revenue to the same extent as we have done in the past.

"As the House is aware, in consequence of this demand for a decrease in land revenue, the Government have for the last three or four years, granted lump sum reductions on the assessments which have varied between 50 to 65 lakhs. Now, this, you will admit, is a

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very considerable cut in our revenues and, if Government is to function as a civilized Government and to expand its operations, I think it is pretty clear that this loss must be made good in some way or another.

“Again, in the Revenue department, we have always relied, as the House is aware, on periodic increases in our revenues from our re-settlements. Now, this re-settlement in the last year or years, has been attacked furiously in all parts of the presidency. I think, speaking generally, there was some justification (Mr. P. V. Krishnayya Choudari: ‘Hear, hear’) for it owing to, what I hope is, a temporary cause. But, as I said before, we cannot rely upon this temporary cause disappearing and ourselves getting back to the position where we were from which any increase of revenue from re-settlements will be feasible. In the circumstances the Reserved Half of the Government are put to this task. I do not, as Revenue Member, for one moment admit that the general principles on which we fixed our re-settlements are essentially wrong. On the contrary, speaking for myself, I think that those principles are intrinsically sound. But I can quite see that if we are going to follow those principles strictly and insist that in the present or future re-settlements we should take our full pound of flesh we should have a very unpopular Government, and there might be some justification for saying that we are not acting fairly in the present circumstances. Therefore we have decided that, so far as re-settlements go, we shall follow the principles which we have been following. If an increase on those principles is justified, we shall impose that increase periodically, but we shall not collect such increase until such time as the Government thinks that the circumstances warrant it. (Mr. P. V. Krishnayya Choudari: ‘Hear, hear.’)

“That seems to me on many grounds to be the safest course to pursue. In the first place we do not altogether cut off a possible source of revenue. And secondly I think, so far as the Reserved Half of the Government goes, we should be doing a very great injustice to our successors if by an act of ours we should prevent them at any future time from collecting a revenue which circumstances warrant their collecting. I think we should be highly unfair to the new Government if we adopted any other course. We propose therefore to adopt such a course as will not disturb the present conditions but will enable the future Government if they should think fit to impose such extra assessment as may become necessary. Well, Sir, considering these factors we have had to look round for possible sources of extra revenue. It has been suggested that we should scrap altogether our present system of land revenue and should put in its place some taxation on agricultural income. That proposal has certain attractions, but I think that if you consider the matter closely you will probably come to the conclusion that the sum total that you can get from agricultural income will not materially vary the income that you now

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get from land revenue, and that it would be merely shifting the incidence of taxation from one shoulder to another. If we do that I very much doubt whether the result would be a material increase in the revenues of this Presidency. Is it worth while scraping a time-honoured system which has been understood by everybody? That is a matter which I should like the House to consider.

"Then, Sir, there is another possible source of income which ought to appeal to district boards and municipalities. I refer to the re-imposition of tolls. Now, here again we have, I know, conflicting opinions, very conflicting opinions. I myself am rather of the view that if I take each Member of this Hon. House separately into my room and ask him whether he thought that the toll might be re-imposed I should have 75 to 80 per cent of the Members say 'yes.' But if I came down here to the Legislative Council and put this proposal forward, I very much doubt whether 80 or 85 per cent would say 'yes.' That is the situation. So far as I can see at present, the re-imposition of tolls is not a workable proposition. I do not think such a proposal would be carried by this House.

"Then, Sir, with regard to the Bill which I have brought forward, I think I am right in saying that except India there are very few civilized countries in the world which allow the free sale of tobacco. Practically in every country in the world which is consuming tobacco, a sort of levy is made on the sale of tobacco. In France it is so. In England there is the licensing system as is proposed in this Bill. In India itself as the House is probably aware, in Bombay and Bengal Presidencies they have introduced certain acts. In Bombay the Act has been working for the last two years. There they have not only an Act applicable generally to the whole Presidency, but they have also a separate Act applicable to the city of Bombay itself. In Bengal, we have an act applicable, I understand, to the whole Presidency. Anyhow, I look upon it as a mere matter of precedent, if precedent for the introduction of such a Bill as this is wanted.

"Now when Government came to the conclusion that a tax on tobacco was a fair one, they had of course to devise measures for carrying this proposal out. Our first idea was we could do so by a system of monopoly. I need not go into details to explain this system to the House as it is by no means new to this Presidency. In the case of abkari revenue we had the old system of monopoly which gave way for our present system. So the system of monopoly by itself is not in any way new, and is quite well understood in this Presidency. But the difficulty is it is not possible for us to know exactly how many tobacco shops there are in the whole Presidency—because it is a very difficult matter and there are no statistics available now—and what is more important from our point of view is that there will be considerable opposition to such a course. But we do not want to cut out the possibility of monopoly altogether and therefore we came to the conclusion that we should introduce the system which is embodied in the

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Bill, viz., the fixed fee system with the proviso that if the future Government should think it possible to introduce the system of monopoly they should have power under the Act to do so. And the intention of the Government is, if this Hon. House should pass this Bill, to introduce the fixed fee system of licensing the sale of tobacco. I will not go into details of the Bill. If permission is granted to introduce the Bill, subsequently in the Select Committee all points of detail can be thrashed out. But our idea is to license every one who sells tobacco. Our estimate of the revenue for the current year by the imposition of this licence fee is only 10 lakhs. It is difficult to know the number of shops in the Presidency. They must run into thousands. The House will, I am sure, understand that if we anticipate a revenue of only 10 lakhs from these thousands and tens of thousand shops, the licensing fee will only be very small. I think that this course is justified in that we are introducing a new form of taxation and therefore we should impose a burden which will not be felt and which will make the tax not unpopular. At the same time I think the House will understand that the increase in our general revenues will only be 10 lakhs, but everybody will realize and I think it is more than probable that in the course of years the sum which we may get from this taxation will increase considerably over 10 lakhs.

“As I have already said, the policy that applied with regard to our land revenue also applies here. We do not want to bind in any way the future Government of the Province from being in the position to increase its revenues should circumstances warrant. That is our general position. We are maintaining that position in our present Bill. Hon. Members, I think, have received statements of the revenues which we anticipate this year. I do not wish to say much on this point as my Hon. Colleague, the Finance Member, I have no doubt, will give a full statement on this subject. But it will be noticed that our revenues are not coming in as we anticipated. The consequence is of course that in the coming year we shall have little to spend on new schemes and unless we do get a certain source of revenue on which we can rely, I cannot see any possibility in future of large developments in what is commonly called nation-building departments, and that seems to me one of the essential reasons why we should try by all means in our power without inflicting any undue hardship on any particular caste or community to increase our revenues.

“One word more and I am done. It is this: Government are 3 p.m. solicitous that these taxes shall not in any way affect the grower. We do not want taxation which will result in increasing the burden of the ryots of this Presidency, and we think that this tax which is merely imposed on the sale of tobacco will fall either on the shopkeeper who at present bears very little of the burden of our revenues or on the consumer, who will suffer very little indeed from the imposition of this small tax. Indeed I go so far as to say this that probably the

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result might be that where now you went into a shop and bought 12 beedies for a pice you might get 10. I do not think it will be anything more serious than that. But essentially the measure must be devised so as to protect the grower and if it is not so devised it must be revised in the Select Committee to that effect. We must see to it that the actual ryot is not made to suffer by the introduction of this extra taxation. With these remarks I beg to introduce this Bill and move that it be referred to a Select Committee. In doing so, Sir, under Standing Order 39 (2) I move for leave to fix the number of Members of the Select Committee at 17 consisting of the following names:—

The Hon. the Raja of Bobbili.

Sir William Wright.

Diwan Bahadur T. A. Ramalingam Chettiyar.

Mr. P. Peddiraju.

Mr. K. P. Raman Menon.

Mr. P. V. Krishnayya Choudari.

Mr. C. Ramalinga Reddi.

B. Pocker Sahib Bahadur.

Rao Sahib N. Siva Raj.

Mahboob Ali Baig Sahib Bahadur.

Mr. Daniel Thomas.

Mr. M. S. Sreshta.

Mr. H. R. Uzielli.

Mr. A. Harischandrudu.

Mr. V. T. Arasu.

The Raja of Khallikote.

The Mover.

* The Hon. Mr. G. T. H. BRACKEN:—"Mr. President, Sir, in rising to second the motion of my Hon. Colleague, the Revenue Member, I think it might be helpful to this House if I, to some extent, anticipated the Budget statement ordinarily to be made next February and took the House into the confidence of the Government as to the present rather serious financial situation. With this object I have already circulated a statement^a of the probable revenue for the whole year based on the actuals of the first six months. At the time the statement was prepared, I was not sure that I could have the actuals of expenditure also. But I have those figures now ready. I propose first of all, to deal with the revenue and expenditure so far as can be estimated on the actuals of the first six months. The figures of revenue

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are already before the House. As regards expenditure, expenditure in the first six months has been in proportion to our expectations. This House voted an additional amount for expenditure in the budget of this year and so, as might be expected, the expenditure for the first six months of the year is higher by some Rs. 15 lakhs than the expenditure before. With falling revenue and expenditure on a higher level, the net result must, I fear, inevitably be a deficit at the end of the current year. That seems to be inevitable. What exactly the deficit will be it is perhaps premature to forecast at the present moment. I think that the deficit might quite well be as much as Rs. 20 lakhs and might even be higher. So much for the current year.

"In connexion with the financial enquiry which is shortly to be conducted by Sir Otto Niemeyer, a financial forecast of the next five years has been worked out and on the basis of the recent figures, I am afraid that that forecast is not very promising. We have attempted forecasts in previous years, but they have all proved to be too optimistic, as indeed the budget statement of the current year has proved to be over-optimistic: the actuals have proved to be much worse than originally anticipated.

"The Hon. the Revenue Member has explained the position in regard to land revenue. In fact we cannot anticipate any considerable increase in land revenue in the next five years. Indeed it is possible that members of the next Provincial Assembly may wish to reduce land revenue even further. (Hear, hear.) One possible expanding source of revenue is the Cauvery-Mettur Project. As the project develops and more land comes under wet cultivation, it may be hoped that more revenue will come in. That again is rather problematic, for the new Provincial Assembly may wish to reduce the rates in the Cauvery-Mettur Project. (Mr. T. S. Ramaswami Ayyar: Even the present Council.) Under Mettur I do not think it will be wise to anticipate any considerable increase in the next five years. Stamps again have been doing badly. It would be unwise to expect anything much from stamps. The same applies to forests and registration. One source of revenue we have, which is an expanding source of revenue and that is Hydro-Electric Schemes. That is doing better than we hoped and we may hope to get an expanding revenue from this source. But the amount will not be considerable in any one year. The net result is, I am afraid, speaking generally, we have no real expanding source of revenue at all.

"On the expenditure side there are certain inevitable additions to expenditure which cannot be avoided as for example pension charges which must increase year to year. There are also the extra expenses connected with the introduction of the Reforms and that extra expenditure will continue as a result of the introduction of the new constitution. Thus there is a certain amount of inevitable new expenditure every year even on the present basis without attempting any new lines of what is known as nation-building.

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"I am afraid this picture is somewhat a gloomy one, but the facts have to be faced. Apart from the deficit this year on the basis of the figures before us, there will be no money available next year except for standing commitments. This means that grants that have been given almost every year for educational, medical and industrial institutions for building and equipment, grants for the betterment of depressed classes, grants to local bodies for water-supply and drainage schemes, roads and bridges, village water-supply and communications, grants for all these desirable objects for which a provision of about Rs. 20 lakhs, used to be made every year—I may say a very modest provision—cannot be made in the next financial year. I am afraid the same thing will be the case in the following years also. Our financial forecast on the basis of the figures I have mentioned shows a continued deficit in each of the next five years, that is to say, unless we explored some new sources of revenue. That, Sir, is the justification of the introduction of this Bill. Nobody likes new taxation, least of all Government, and I can assure this House that Government would not have thought of this new source of revenue under the Tobacco Bill and the betting taxes unless they were convinced that it was in the interests of the Presidency both in the immediate future, that is, the next financial year and for the future Government of this Presidency to have one or two expanding sources of revenue. I am afraid the position roughly is this: if we do not have these expanding sources of revenue it may be necessary to cut down the land revenue concessions that have been granted in recent years to get a balanced budget and that is a very serious situation. I put it to the House whether it would not be better to impose what after all are luxury taxes on tobacco and betting rather than re-impose the burden of land revenue on the ryot. Tobacco is after all a luxury. I suppose those of us who smoke—I am one of them—would probably be very much better off in pocket and in health if we do not smoke at all. The same is the case with smokers, or chewers or sunff-takers in the Presidency. Such a tax does not impose any hardship on the population as a whole. The same applies, even more so, to the betting tax. There I suppose every one will be better off in pocket at any rate if they do not bet. I have taken the House into the confidence of the Government fully and entirely honestly and shown them what the position is and what is the justification for the imposition of this tax. It may perhaps be considered as the lesser of the two evils, the tobacco tax as against the removal of the land revenue concessions. But I do not want to harp on that point. I think this tax is justifiable on its merits, not only from the point of view of the benefit of the immediate future but also of the benefit of the future Government. I think there is the duty of the House to see that the new Government whatever it may be, starts on its career with a balanced budget and a fair prospect of some expansion of revenue to meet new demands for nation-building. On this ground, I would ask the House to consider the thing on its merits. Imposition of taxation may, in the opinion of some Members of this House, cost them some votes in the election if they vote for it. But

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I would appeal to Members of this House to take a wider view and think of the good to the country as a whole and specially to the new Government—whatever it may be—that will shortly be inaugurated."

* Rao Bahadur Sir A. P. PATRO :—" Mr. President, Sir, with your permission, I shall reserve my general remarks in reply to the Hon. the Revenue Member and the Finance Member who have just now spoken, when I shall be able to meet the remarks made by them. But my immediate purpose is to raise a preliminary objection, to raise a point of order that this Bill is invalid and should not be considered by this House. That is my point of order. In the Statement of Objects and Reasons, which is very clear and concise and which is often referred to by the Hon. the Revenue Member and the Finance Member, it is stated that this is a tax; there is no doubt about it. I wish to draw your attention to the Statement of Objects and Reasons. It is stated: 'No tax is now levied on tobacco in the Madras Presidency.' The Taxation Enquiry Committee in paragraph 193 of their report has observed Then it is stated that 'it is accordingly proposed to raise some revenue from this source to the financial advantage of the Presidency.' These are very important facts stated in the Statement of Objects and Reasons and they show what the real intention of the Government is in bringing forward this Bill. In the clause relating to definitions (15), it is stated that 'tobacco revenue' means revenue derived or derivable from any fee, fine or confiscation imposed or ordered and all sums accruing to Government, under the provisions of this Act. You may call a horse by any name; it is nevertheless a horse. Tobacco revenue cannot be otherwise than what it means to be. It is a tax proposed to raise revenue from this source to the financial advantage of the Presidency. This is the essential and the real object of this Bill. The previous sanction of the Governor-General has been obtained for this Bill. The existing Government of India Act, 1919, gives two schedules with regard to which the previous sanction of the Governor-General is not necessary. Schedule I refers to a tax on land put to uses other than agricultural, a tax on succession, a tax on any form of betting, a tax on advertisements, a tax on amusements, a tax on any specified luxury, a registration fee and a stamp duty. In this list 'tobacco' does not find a place. Section 80-A of the Government of India Act, 1919, states that 'the local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law imposing or authorizing the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under this Act.' We must now consider the position that is created by the Government of India Act, 1935. List 2 of Schedule 7 of this Act relates to provincial subjects, duties of excise on the following goods manufactured or produced in the Province and countervailing duties at the same or lower rates on similar goods manufactured or produced elsewhere in India, alcoholic liquors, opium, medicine, etc. Item 45 of List I—Federal subjects—refers to duties of excise on tobacco and

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other goods manufactured or produced in India. Therefore under the new Act this is a federal subject. The Act contemplates a saving clause in regard to provinces where the taxes which are included now for the first time in Schedule I under Federal taxes are being continued in other provinces. I wish to draw your attention to section 143 (2) of the new Act. It states that any taxes, duties, cesses or fees which, immediately before the commencement of Part III of this Act, were being lawfully levied by any Provincial Government, municipality or other local authority or body for the purposes of the province, municipality, district or other local area under a law in force on the 1st day of January 1935, may continue to be levied. This Bill has been introduced only recently and not before 1st January 1935. Therefore I say that this House and the Government will not have the right to levy or impose any duty, cess or tax on tobacco. The question of any distinction between a duty, tax or fee does not arise in this case, because it is clearly stated in the Statement of Objects and Reasons that the main object of this Bill is to augment the revenue of the province. The principal aim of imposing excise duty on internal products is to raise revenue, call it a fee or duty or tax. In this connexion I would like to draw your attention to the description of 'excise' under the Devolution Rules of the Government of India Act of 1919. At page 144 of the Legislative Council Manual, Volume I, this is the definition given of 'Excise':

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'Excise, that is to say, the control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or in relation to such articles. . .'

It is therefore quite clear here as to what is meant by the Government of India Act. It does not mean that excise duties are separate from excise revenue. This Bill seeks to levy a duty on tobacco, and I submit that it is analogous to what is contained in item No. 16 of Part II of Schedule I to the Devolution Rules. This Bill, which is rather very clumsy—apart from its other defects which I will point out in my next turn—says in clause 3:

'Subject to the control and direction of the Local Government, the Commissioner shall superintend the working of this Act and the collection of tobacco revenue in all areas in the Presidency of Madras.'

Again in clause 4, it says:

'Subject to the control and direction of the Local Government and of the Commissioner, Collectors of districts shall be responsible for the collection of tobacco revenue and the carrying out of the provisions of this Act in all areas in their respective districts to which this Act is applied.'

So, the whole aim behind this Bill is not so much the control of licence as we have got in the case of the licence fees levied by the local boards as to augment the revenues of the Provincial Government. It is not intended to cover the charges of supervision or control that may be necessary. Generally a licence fee is levied where a licence is issued under certain conditions, e.g., that certain rules should be observed of sanitation, hygiene, public safety or morality, and where the licence is controlled by the authority issuing the licence, certain charges of

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supervision and control have to be incurred, which are meant to be covered by the licence fee. As I said, the object of this Bill is not to have any such control over the vending of tobacco—such as that the tobacco trade or tobacco leaf has got a deleterious effect on the people. For the matter of that, it is just the other way; it is a necessity otherwise it will not be smoked by so many people. When that is so, this Bill simply creates a sort of monopoly in the trade—all monopolies ought to be discouraged. Well, I do not want to go into the merits of the Bill just at present, but my submission is this: that this Bill contravenes the provisions of the new Government of India Act, and not having been passed into law before 1st January 1935, it is invalid and inoperative.

“ I do not want to go into the legal aspect of the matter—how the High Court would interpret these matters heretofore. I know there are some decisions of Canada and the United States, which I can point out, to show that there is a distinction between ‘ fee ’ and ‘ tax ’; but, as I said, in this case such a distinction does not arise at all, because ostensibly in this case the fee levied is for the purpose of augmenting the revenues. The consequence of this legislation, if it is passed into law, will therefore be that under section 143 (2) it will be invalid. Any court may at any time say that it is invalid. In such a case, what is to be the position of this House? And you, Sir, as the custodian of the rights and privileges of this House, have to decide it. We look up to you to protect our rights and the rights of the public in a matter like this. (Laughter.) It is a very serious matter. However much the Hon. the Revenue Member and the Hon. the Finance Member may try to explain, there is no gainsaying the fact that this Bill taxes the poorer classes and takes away a few pies from their daily wages. That is what it comes to. It is a tax on the general population, and this Council has no power to levy the tax now. The Government have come forward with this Bill without considering the consequences. All rules of procedure relating to this House and all your rulings are intended to prevent the Council from wasting its time in discussing invalid measures and motions. If you, Mr. President, are satisfied with what I submitted, viz., that this duty on tobacco is a federal subject under section 143 (2), not having been enacted before the 1st January 1935, it would not be available to this province. Not having been thought of by this Government all these years, even in times when we had deficit budgets—I can show from the Budget speeches that there was not a single year when the Finance Member gave us a bright view of the financial position of our province, every time it was said that our finances were in a deplorable condition and we were asked to show some indulgence in regard to the Budget—where is the necessity for bringing in this measure now which is invalid according to section 143 (2)? Would you, Sir, as custodian of the rights and privileges of this House, allow this invalid law to be passed? To-morrow, next year or in 1937, if Part III were brought into operation, what would be the position? Can you maintain this tax? You

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cannot. I therefore ask hon. Members to consider the whole position. I leave the matter, Sir, in your hands, and I submit, that this Bill cannot be considered by this House."

* The Hon. Sir K. V. REDDI NAYUDU:—" Mr. President, Sir, I am afraid that my hon. Friend—I have the greatest respect for him—is under a misapprehension and a misconception. The contention of my hon. Friend is two fold. In the first portion of his speech, and in fact, in the concluding portion also, he told us that this Bill is *ultra vires* of this Council and that we have no right to pass it into an Act, by virtue of section 143 (2) of the new Government of India Act. That is one misconception. The second misconception is this: that even assuming for a moment that we can pass this law, still it can be effective only till Provincial autonomy comes into operation, that is as soon as Part III of the new Act comes into force, automatically the proposed Act must cease to be in force in this province, in so far as it would not be possible for us to collect fees or tax under an Act on a subject which is in the Federal list.

" Let me first deal with the first portion. All that section 143 (2) says is that if any tax is being collected by a Local Government on a subject which is included in List I of Schedule VII, i.e., the Federal list, that tax the province will be allowed to continue to collect even after the date when Part III comes into force, provided that the tax has been collected under a Provincial Act passed before the 1st January 1935. This tax no doubt will not come under that, because it will be collected only after 1st January 1935; but what will happen to taxes which have been imposed subsequent to that date? The section does not say that these taxes will be illegal; it does not say that we have no right to pass this law."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will you please address the Chair? "

The Hon. Sir K. V. REDDI NAYUDU:—" I thought the hon. Member would sometimes expect to hear me. I do not now address any individual; the hon. Member is mistaken in thinking that I am not addressing the House; I am addressing the House through the President."

Mr. P. V. KRISHNAYYA CHOUDARI:—" On a matter of personal explanation, Sir? "

* The Hon. the PRESIDENT:—" Order, order."

* The Hon. Sir K. V. REDDI NAYUDU:—" Will hon. Members please have a look at section 143? It says: I shall omit the words which are not necessary, Mr. President:

' Any taxes which were being lawfully levied by a Provincial Government under a law in force on the first day of January 1935, may, notwithstanding that those taxes are mentioned in the Federal list, continue to be levied and to be applied to the same purpose until provision to the contrary is made by the Federal Legislature.'

That is to say, if there are taxes that are already being collected on that date, the province will be allowed to continue to collect those

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taxes, unless the Federal Government intervenes and says: 'No, you shall no longer collect them; we shall collect them ourselves.' It does not say that the Acts passed after that date are illegal or that we cannot collect the amounts mentioned therein. My friend Sir Patro has put an absolutely wrong construction on the section. It does not take away the right of this Council to pass such laws as it pleases for the collection of taxes or fees or whatever you may call them. There is absolutely no doubt about that.

"Now, Sir, there is something to be said as regards the other question. My hon. Friend asked, though not expressly—I take him to have stated it to this effect—what is the good of passing this Act, if after Part III comes into operation, the Central Government or the Federal Government will step in and say: 'Well, Sir, this is in List I; it is no longer a Provincial Subject; section 143 does not protect you; therefore we will collect the fees ourselves or pass our own laws on the matter.' That is perfectly true.

"Bnt, Sir, my contention is that the subject matter of this Bill is not in List I, but it is in List II. Hon. Members will remember that Schedule VII gives three lists; one is a Federal List, on the subjects contained in which only the Federal Legislature is competent to legislate and on which the executive Government of the Federation alone will act. List II is the Provincial List over which we have jurisdiction here in the autonomous provinces. List III contains subjects of concurrent jurisdiction, and we need not worry ourselves with it now.

"Now, turning to Lists I and II, my hon. Friend referred to item 45 of List I. Item 45 refers to 'duties of excise'—mark you, not all taxes, not all cesses as are found in section 143 which refers to taxes, duties, cesses, or fees of any kind; they may be excise duties, they may be customs duties, they may be licence fees and so on. This item 45 speaks only of 'duties of excise on tobacco.' Now, Sir, the question that arises is whether what we are now levying is excise duty or not. The argument of my hon. Friend will be valid if it is construed that it is excise. On the other hand, look at item 48 of List II of the same schedule, namely: 'taxes on sale of goods.' The question therefore arises whether this is 'excise' or 'tax on sale of goods.' My submission to the House is that it is a tax on sale of goods. Any one who has read the Bill will clearly see that what is being taxed is the right to sell and not excise. What is the difference between the two? My hon. Friend read something from the old Act. He says that sales for export are included in excise. (Rao Bahadur Sir A. P. Patro: 'No.') I will read it. 'Excise,' it says, is 'control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor and intoxicating drugs, and the levying of excise duties and licence fees on or in relation to such articles, but excluding, in the case of opium, control of cultivation, manufacture and sale for export.' Let us assume that that is so. That is excise of a particular kind for the purposes of that Act. But the definition of

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'excise' is entirely different when it is viewed in a general light and it is the general light that guides this section. Now, what is 'excise'? 'Excise' is a tax on goods and it depends upon the quantity of the goods allowed to be sold. Take the case of 'excise' in any other country you like. Excise is not a tax on the right to sell. Hon. Members will mark the difference between the two. One is a tax on the goods, which is not the case here. Here, what we are taxing is the right to sell. Now, Sir, if this distinction is correct, namely, that by 'excise' is meant a tax on the goods, that a man who sells ten pounds will have to pay so much and a man who sells 100 pounds will have to pay so much on the goods. Whereas, in the present Bill we have made provision only for the right to sell.

"Now, Sir, that this construction is correct is borne out by two circumstances. Here is an Act in my hand, the Bengal Act of 1935 which was passed in the month of May 1935 in the Bengal Legislative Council by the Bengal Government. Is it suggested for a moment that that this question was not considered by the Bengal Government or the Bengal Legislative Council? (Sir A. P. Patro: 'They have not seen through it.') Only one hon. Gentleman of this Council can see through it? If so, he can lay the flattering unction to his soul. (Mr. Basheer Ahmed Sayeed: 'When was that Act passed?') It was in May 1935, that is, after 1st January 1935.

"The other point that I wish to mention in this connexion is that both in the case of the Bengal Act and in regard to this Bill, the sanction of the Government of India has been obtained. Now, what does that sanction mean? If this is really a Federal subject and if section 143 could be applied to a case like this, can we honestly expect that the Government of India would have given their sanction to this Bill? (Sir A. P. Patro: 'That is a mistake.')

"Well, Sir, there are other provisions in the Act, to which I need hardly refer. There is yet another distinction which I wish to make. My hon. Friend was relying on Article 16 of Schedule I of Part II of the present Act. That is a list of provincial subjects in the Montagu Act. Hon. Members will realize that what is treated as 'excise' there is the control of sale, that is to say, control of production, manufacture, possession, transport, purchase and sale of alcoholic liquor, etc. It is control of sale and not the sale itself. That is rather a nice technical subtlety, I admit. But in this Bill we are not controlling sales. Control of sale means, we can fix prices. That is not to be found in this Bill. Hon. Members will therefore realize that that distinction does not help my hon. Friend in the least. I therefore submit that it is really a misconception and a misunderstanding which I am sure the hon. Member will realize when he reads the section over again."

* The Hon. the PRESIDENT:—"The Chair has to decide only one point, whether the House is competent to pass a Bill like this and whether it will be valid. As the hon. the Mover of the point of order

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himself has stated, under the existing Government of India Act the House is competent to deal with the Bill. This House exists under the provisions of the existing Government of India Act (Act of 1919); the Standing Orders and Rules made thereunder are being observed and they control the procedure of this legislature now. The new Government of India Act, 1935, has not yet come into operation. If this Bill becomes an Act, whether it will be operative after the 1935 Act comes into force, is not for us to decide. Until then, this Bill, if it becomes law, will be valid, and I think the House is quite competent to pass it.

“As regards the custodianship of the rights and privileges of the House which the hon. Member, Sir A. P. Patro, has referred to, I can only say that the Chair has no power to prevent any legislation of this type which the House is competent to enact.

“As regards the wasting of time which the hon. Member has referred to, I need not make any observation, because it is entirely within the competence of the House as a whole and of individual members not to waste the time of the House but to transact the business as quickly as possible.

“It is therefore my ruling that nothing prevents this House from proceeding with this Bill.

“The motion before the House is that Bill No. 17 of 1935 be referred to a Select Committee and that under Standing Order No. 39 (2) the number of members of the Select Committee should be limited to seventeen and that the Select Committee should consist of the following members:—

- (1) The Hon. the Raja of Bobbili.
- (2) Sir William Wright.
- (3) Diwan Bahadur T. A. Ramalingam Chettiyar.
- (4) Mr. P. Peddi Raju.
- (5) Mr. K. P. Raman Menon.
- (6) Mr. P. V. Krishnayya Choudari.
- (7) Mr. C. Ramalinga Reddi.
- (8) Mr. B. Pocker Sahib.
- (9) Rao Sahib N. Siva Raj.
- (10) Mr. Mahboob Ali Baig.
- (11) Mr. Daniel Thomas.
- (12) Mr. M. S. Sreshta.
- (13) Mr. H. R. Uzielli.
- (14) Mr. A. Harischandrudu.
- (15) Mr. V. T. Arasu.
- (16) The Raja of Khallikote.
- (17) The Mover (the Hon. Mr. C. A. Souter).

Rao Bahadur Sir A. P. PATRO:—“Sir, your ruling shall prevail.”

* The Hon. the PRESIDENT:—“May I just remind the hon. Member that we have got only two minutes before us as we have to take up the adjournment motion at 4 o'clock.”

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Rao Bahadur Sir A. P. PATRO:—"Sir, if I begin now, I hope I shall have a right to continue my speech to-morrow."

* The Hon. the PRESIDENT:—"Even otherwise, the hon. Member will not be prevented from speaking to-morrow."

* Rao Bahadur Sir A. P. PATRO:—"Sir, in this case, the hon. the Mover rests his case upon the financial condition of the province and also the Hon. the Finance Member with his characteristic brevity and earnestness has placed before us a gloomy picture of the future prospects of this province in respect of its finance. I may say I do not agree with either of them that the finances of our province are such that we have to go out and find new sources of revenue. Sir, deficits there will be and that is not a new phenomena. We were in a flourishing state and got three crores by way of the release of the provincial contribution.

4 p.m. "That was the position. It seems to me that this is a question of history repeating itself. The Government have brought in this Bill with a view to raise fresh revenues."

IV.—ADJOURNMENT MOTION *RE* IMPRISONMENT FOR NON-PAYMENT OF LAND REVENUE IN SOUTH KANARA—*cont.*

The discussion of the motion for the adjournment of the business of the House was then taken up.

* Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, under Standing Order No. 19, I beg to move that the business of the House be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the recent action of the Government in arresting and imprisoning respectable mirasdars of South Kanara district for non-payment of land revenue which has caused widespread panic and resentment in the district.

"My idea in bringing up this motion is to censure the Revenue officials and the Government who have, shutting their eyes to the condition of the people in the district, put in process these repressive measures of arrest and imprisonment of respectable pattadars. I want to censure their action in arresting respectable persons and holding them up for ransom which is virtually what they are doing and what they intend to do. Even in the worst days of the Civil Disobedience Movement when taxes were withheld for political reasons, these measures of arrest and imprisonment were not resorted to by the Government. I have not come across any instance within the whole Presidency where these provisions were invoked by Revenue authorities in the collection of land revenue till now. It is due to the economic reasons especially in that part of the district, the sub-taluka of Hosdrug that the pattadars have not been able to pay the tax, in addition to the world-wide depression and to the special causes which are prevailing all over India owing to the unfortunate adverse ratio and the linking of the rupee with the sovereign. In

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addition, we have special reasons. It is the fraudulent policy of the revenue settlement authorities, who, by their hat tricks and their mistaken calculations, have increased the assessment of the land even to the extent of cent per cent in some cases. This was what happened during the last settlement and those mistakes have been perpetuated by the present resettlement and enhanced by $12\frac{1}{2}$ per cent. At the time of the resettlement, the people thought that justice would be done. But those questions were not at all gone into owing to the prevalence of very high prices till the years 1927 and 1928. The situation was eased and people were able to pay the assessment excessive though it was even then. But now there are steadily falling prices with an assessment increased by $12\frac{1}{2}$ per cent, with the result that the people of South Kanara are hit very hard. Agriculture as an industry or as a trade is not paying. Land has lost its value. In addition to this there is one special feature about the sub-taluka of Hosdrug which makes conditions in that taluka really very unbearable. It is identical in all respects with Malabar, the adjacent district—the people are mostly Malayalees,—and the land tenure and crops raised are similar to the system prevailing in Malabar, the crops raised are the same, namely, pepper, but with this difference that the pepper growers in South Kanara have to pay bagayat rates while their brethren in Malabar pay dry rates which are lower and secondly they have also to pay taxes for waste lands and forests, which in Malabar are excluded from taxes. The pepper growers in the sub-taluk have to pay very much higher rates therefore than those obtaining in the adjacent district. In addition, the price of pepper has gone down from Rs. 600 to Rs. 120 with the result that the lands have ceased to pay even the amount which is necessary for the payment of the dues to the Government. It is purely an economic reason that is behind the non-payment of taxes, a fall in the commodity prices coupled with the invidious treatment of this sub-taluk in the matter of taxation. I am sure these points were brought to the notice of the Government during the last one and a half years during the course of the resettlement. The Government shut their eyes to the peculiarities saying that because they have been collecting all land revenue without arrears so long, the people can pay. Unfortunately, the ryot has always got the love for his land which has been owned by his ancestors and handed down by father to son. He felt that the land was not paying, but still the love for his land, for his homestead which had sustained his ancestors compelled him to sell his movables, his jewels and pay till now; but now the end has been reached and a situation arises wherein he has nothing else to pay his assessment with. What have the Government, the Revenue officials, done? They should have opened their eyes and come to the rescue of the ryots. Instead, the Revenue authorities seek to justify their original mistake of over-assessing the ryots by arresting respectable people and virtually holding them to ransom. I am going to prove this from this one instance and other threatened instances which are likely to crop up in future. They want to arrest respectable pattadars and put them in jails without giving

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them an opportunity to show cause why they should not be arrested or taking any explanation from them. They perhaps thought that their relatives or friends or whoever may be interested in them would pay up the ransom and get them released. This is virtually what is happening and it is against this policy of the Government that this House is now asked to give its verdict.

"The first victim of this policy is Mr. Kottoyil Ukkaran Nambiyar. My Hon. and Learned Friend, the Law Member, stated that it was a solitary instance and it was a legal exercise of the power given to the Government under section 48 of the Revenue Recovery Act and that there was no need to raise this adjournment motion. My submission is that a reading of the facts which I am going to narrate to the House will show in what illegal and unjustifiable manner the Revenue officials of the district have acted. Mr. Ukkaran Nambiyar belongs to one of the most respectable families of South Kanara paying an assessment of Rs. 5,000 a year. He respects his person more than anything else. He came into possession of the properties in 1922 as ejaman of his family and got the pattas changed to his name. In 1932 itself, some of the junior members of the family filed a suit for partition in the Subordinate Judge's Court, Mangalore (O.S. No. 144 of 1932). In that suit the junior members applied for the appointment of a receiver and the sub-court accordingly appointed Mr. K. P. Narayana Doss, an advocate, as receiver in 1934. This was in February 1934. This gentleman took possession of the properties and dispossessed Mr. Nambiyar. The Court Receiver paid the assessment in 1934 and also a portion of the assessment for 1935. The Revenue officials know that the properties were under the administration of the court through its receiver. There have been several correspondences which had passed through the receiver and the Tahsildar and the Deputy Tahsildar which show that the Revenue authorities in the district knew that Mr. Nambiyar did not possess the properties or collect a pie of the income. The Patel of Esthilleri where the major portion of the properties are situated was the fourth plaintiff in the above suit and the Shanbogh of Esthilleri and his son were the commissioners appointed by the court to effect the partition in the suit. With a knowledge of all these things, what have the Revenue authorities done. We find that they issued a warrant of arrest against him, arrested him and committed him to prison for two years. He was not given notice to show cause why he should not be proceeded with under the Revenue Recovery Act. He was simply arrested and imprisoned for two years. It was not even stated as to what class he was to be classed under, whether he was to be treated as a civil debtor or as a criminal convict. What happened was that he was treated as a convict. He was kept in Mangalore Sub-jail where there is no provision for civil debtors. All this occurred when the Revenue authorities know that he was not in possession of the properties and that he did not collect a pie of income from the properties and the properties themselves which were liable for the assessment were yet to be sold.

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“ Section 48 of the Revenue Recovery Act reads thus :

‘ When arrears of revenue with interest and other charges cannot be liquidated by the sale of the property of the defaulter or of his surety and the Collector shall have reason to believe that the defaulter or his surety is wilfully withholding payment or has been guilty of fraudulent conduct in order to evade payment, it shall be lawful for him to cause the arrest and imprisonment of the defaulter.’

“ So, Sir, two conditions are absolutely necessary as conditions precedent to the use of section 48, this obsolete section 48. Sir, the properties must have been exhausted first and secondly there must be wilful default or neglect on the part of the pattadar. Now, Sir, the properties have not been sold; they were put up for sale on two days on the 22nd September and on the 28th of September. The properties have not been sold. Secondly, Sir, he has not collected a pice of income because he was not in possession of the properties at all. How can it be held that there was wilful refusal to pay the assessment? Just a few days before, a decree was passed by the Sub-Court partitioning the property into two shares and Mr. Ukkaran Nambiyar under the decree of the court was even deprived of the ejamanship and another junior member was put in possession as ejaman, even of the share allotted to his branch. There were several petitions before the Collector himself which referred to this decree and the facts leading up to it and its terms regarding which even evidence was taken by the Tahsildar before the arrest was ordered. I am not going into those details. There is the evidence, documentary evidence before the Collector from which he could be satisfied that the two branches are to pay the shares of land revenue in arrears in the ratio of 52 and 48 per cent as per the decree of court and Mr. Ukkaran Nambiyar was not to pay because the ejamans of the two branches were to pay. Yet this respectable gentleman without his even knowing anything, innocent as he was, was arrested all on a sudden by a warrant which was issued on the 16th by the Revenue Divisional Officer from Kasaragod and which directed production before the Tahsildar. Evidently it must have been in consultation with the Tahsildar and the Deputy Tahsildar that it was issued. The warrant was issued on the 16th and the man was arrested on the 17th. On the 17th he was brought to Kasaragod and kept in the lock-up for two days. This is a very important point. Why was he detained in Kasaragod? Evidently because the Tahsildar expected that some relative of his would pay this Rs. 3,000 which was due to the Government. It was in this expectation that he must have been detained for two days in Kasaragod. Money is a thing which in the villages of South Kanara was very rare. It is impossible to get even hundred rupees loan in the villages of South Kanara nowadays. That is the state of affairs. He could not get the amount and he was put in prison. On the 19th he was sent to the Sub-jail in Mangalore. On the 20th by the side of his cell he was heard raving. Barrister Mr. M. K. Nambiyar who heard that he was heard raving went in the morning and heard his raving but could not see him because he could not meet the Superintendent and get permission. He wrote a letter at 8 a.m. to the Superintendent asking for particulars about the health of Mr. Ukkaran

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Nambiyar. At 1 o'clock the Superintendent wrote back that he was peculiar in his behaviour. But as a matter of fact, Sir, I was told that at 9-30 the very day he was discovered that he was suffering from paralysis. This fact was not disclosed in the letter at 1 o'clock and it was only said that he was suffering from lunacy and that he would be removed to the hospital. He was not treated as a paralytic patient but as a lunatic. In the hospital he was in the lock-up by the side of a lunatic. He was found sprawling on the ground with one side of the body completely paralysed and unable to articulate. That was the treatment meted out to him. On the 21st morning a petition was filed before the Revenue Divisional Officer pointing out the illegality of the arrest and detention and also intimating to him the condition, the bodily condition of the patient and asking him to pass orders. No orders were passed for two days together and on the 23rd evening at 2 or 3 o'clock an order was received refusing the release in spite of the illegality and the injustice which were brought to the notice of the Revenue Divisional Officer, evidently owing to orders from above his hands were tied and he had to refuse to release the man and passed orders accordingly. In the order it was mentioned that the Revenue Divisional Officer and the Tahsildar had no official knowledge, and though there was no fraud on the part of the prisoner the Patel's influence was the cause of the 3 unsuccessful attempts to sell the properties as also because the properties were in the interior and not easily accessible. This in short is the tale of suffering that has been caused by this policy of arrest. No doubt it is one man who has been arrested. His whole future has been ruined. No amount of apologies on the part of the Hon. Member from Government can bring back his body to his former condition. This no doubt, Sir, is one instance. But I understand and I am reliably informed that several notices have been issued and the people have not been locked up because the moment they heard of it they ran away from the district little knowing that it is only a question of time and that the arm of the British Government is long enough to reach anywhere in British India. Echikan Koran Nair is one of the other people who is a big janmamdar against whom another notice has been issued as I hear. The Revenue authorities are making enquiries seeing that the people are running away. They are just finding out the whereabouts of persons and immediately they are found they will be served with notices. That is the state of panic in which the people of the sub-talukas are in. Therefore with great respect I submit that the matter is not a matter which is not of urgency as suggested by the Hon. the Law Member but it is a very urgent matter for the whole sub-taluka of Kasaragod and the rest of the district is in a panic. They do not know what is in store for them; they are afraid that without their being heard, without an opportunity being given to them to explain their case they may be arrested and locked up in jail for two years as in this case, Sir. I should just incidentally answer one question

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which the Hon. the Law Member had raised earlier in the day. He said that this is a judicial order. With great respect and deference”

* The Hon. Sir K. V. REDDI NAYUDU :—“ On a matter of personal explanation, Sir. I never said that this is a judicial matter. I said there is a judicial remedy of obtaining a writ of habeas corpus whereby he can be released. I did not say that this is a judicial order.”

* Mr. U. C. SUBRAHMANYA BHATT :—“ Now, Sir, when all this has been taking place what have the Revenue officials from the Collector of the district downwards been doing all along? The Collector of the district has been receiving Rs. 2,500 per month while the people of the district have been suffering so immensely such untold hardships. He has not cared to see the condition of the people. He has not cared to place before the Government the real condition of the people. On the other hand he and his subordinates want to justify the wrongs of the Government the imposition of the excessive assessment by hook or by crook. By whatever means it is possible for him he wants to raise the revenue irrespective of the hardship that it causes to the people of the district. Surely we cannot expect anything better from a Collector who seems to have no sympathy to the public regarding this question of land revenues and who as would be seen from his own orders passed on a petition filed before him on 15th September 1935 by Mr. Kunhi Ramen Nair, the karnavan of the other branch and by Mr. Govindan Nair the karnavan of the branch of Ukkaran Nambiyar, that they have got Rs. 1,200 with them to pay out of the Rs. 3,000 in arrears and for the balance they must be given three months time to raise a loan and pay. The order on the petition was: ‘ No time would be given; the parties must pay it from the capital.’ Of course he was sure and it was certain that the income was not sufficient to pay and that it must be paid only from the capital. That is the order passed on the petition filed on the 15th by these people. From that order it is patent what the mentality of the Revenue officials of the district is. They are aware that the land is not producing enough. But what do they care? The landholder must pay from the capital. Every year it will diminish and within three or four years it will make them paupers and there will be no capital to pay the revenue. Certainly, Sir, from such a man, from such an unsympathetic attitude we cannot hope anything better. But my question is whether it is a right conduct he has taken. On the other hand he should have apprised the Government of the real state of affairs, that it was not possible to collect the revenue on account of the economic condition and the Government would certainly have come to the rescue of the people. Government would not have ordered arrest or Government would have written off the assessment. On the other hand he has been responsible for this conduct with little or no regard to the justice or legality of the way in which people are arrested and put in prison even, though I must

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admit in justice to Mr. Gawne that when he found the victim of his policy crippled and prostrate in hospital he lost no time in promptly ordering his release. Evidently, Sir, the Revenue officials are terrorising the people, the poor people who are already suffering very much. I appeal to this House to give a verdict on this question. No doubt, to-day it is the case of far off South Kanara, with which the rest of the Presidency may not have much in common, but what to-day is the fate of South Kanara, to-morrow may be the fate of every other district.

"The Government has been increasing the taxes; on the other hand the land does not give increased yield; it is subject to the law of diminishing returns. The Government has been trying to get as much money as possible from land but the land is refusing to keep pace with the exactions of the Government. It will be no wonder, Sir, if in the near future other districts also have to face the same problem. I therefore appeal to the other districts not to view this question as peculiar to South Kanara only. It is a question of principle.

"I should like to say one word more, Sir. These are days of insolvency; everybody is going in for loans. The rural indebtedness of this Presidency which was about 30 crores in 1930 has risen now to well nigh 200 crores. Rural indebtedness has become a very grave problem. The imperial legislature is considering the question of deleting the provision of imprisonment even in cases of civil debtors. Is it advisable, Sir, that these barbarous provisions in the Rent Recovery Act, which are obsolete, should be enforced in these days? It was this aspect of the question that I wanted to place before the House. With these words I commend this adjournment motion to the acceptance of the House."

Mr. K. P. RAMAN MENON:—"Coming as I do from the sister district of Malabar, I feel it my duty to second this motion so ably moved by Mr. Bhatt. Sir, you need not go very far into the history of the case. You have simply to look at section 48 of the Rent Recovery Act, and the particular mode in which this gentleman was arrested. Section 48 of the Act unmistakably says that if it is not possible to raise the money by liquidating a particular land which is subject to the burden of the tax in question, and if further it is proved that the arrears are due owing to the wilful conduct of the pattadar, then and then alone the pattadar is liable to imprisonment. Both these conditions have to be fulfilled. In this particular case, the lands were advertised for sale on the 20th or 22nd September but the man was arrested on the 17th September. So the first condition that is necessary to attract the provisions of section 48 has not arisen. The second condition is it must be apparent to the Collector or the Revenue officer after any enquiry which he might make that the default was wilfully made. As to the interpretation of 'wilfully' there are various decisions to show that 'wilfully' means 'intentionally.' Here as was pointed out by Mr. Bhatt, Mr. Ukkaran Nambiyar was in

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management of the family estate in 1934; this arrear is an arrear of 1935; not only was he deprived of the management of the estates in 1934, but there is also the fact that the Revenue authorities dealt with the person who was in actual management of the estate and collected taxes from him in 1934. So that, it is quite clear that the Revenue officials knew that Ukkaran Nambiyar was not in possession of the estates of the family which are liable to pay arrears of land revenue. Can it be said that he was acting wilfully or intentionally flouting the authority of the Government? Certainly anybody would agree with me in saying that this is not a case in which this old man flouted the authorities. You may take it from me that no ryot who is in his senses will flout the authority of the Government. Besides, the holding the ryot has is sacred to him. It is only in circumstances absolutely beyond his control that he allows it to be taken away. This truism applies to all landholders everywhere in this world. The position therefore is clear; so far as Ukkaran Nambiyar was concerned, he has not made any wilful default nor has it been shown that there was any fraudulent conduct on his part that by selling the property he has cheated the revenue authorities. In these circumstances, can it be said that it is a lawful arrest? No doubt the Hon. the Law Member is quite right that a civil action or writ of *habeas* is open to him. It is easy to say you have got a remedy in law. I put it to the Hon. the Law Member; suppose one fine morning he is arrested for some supposed dues (the Hon. Sir K. V. Reddi Nayudu: 'I will walk into the jail')—you need not walk into the jail, you will be compelled to walk into it. Of course, you may file a suit for damages for Rs. 50,000 and get it; but the wrong is there and cannot be repaired. Can any civilized Government be guilty of such wrongs? I ask the Hon. the Revenue Member to sift the matter and see where the wrong lies. As far as I can see from the papers, the Collector has acted very sympathetically. I will mention what he has done. This man was arrested and put in jail; he got a paralytic stroke; the Revenue Divisional Officer was obdurate; as soon as the Collector knew the condition of the man—I must say this in justice to him—he at once hastened to the place and released the man. In this he has acted very humanely, and I hope all officers will act like that. I do not blame any particular officer now, but I blame the system under which such a thing is possible. I say this section of the Act which really says that a man should be a bondsman to Government, must work out his debt to Government somehow or other, is an anachronism and should not find a place in the statute book. I further say that unless the taxes have risen to such a high level that it is impossible for persons to pay up, it is impossible to contemplate the sudden circumstance under which such a large amount of arrears could have become due. That again is practically due to the fact that the southern portion of the South Kanara district, which is really a part of Malabar has been treated for the purposes of assessment not on the same basis on which Malabar has been treated, but on a different basis. In Malabar, pepper gardens are assessed only on ordinary dry rate.

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There is a history behind it. The British Government tried to raise them to the level of regular gardens but the ryots were so unanimous that they cut down all the pepper vines. There was not one pepper vine anywhere. That was in 1805. A Commissioner who was specially appointed to meet the situation then reviewed the position and had a proclamation made by which taxes were reduced to dry rates, and then and then alone the ryots began to cultivate pepper. As a result of cutting the vines even to-day in some portions of South Malabar pepper has not been grown. I shall not be far wrong if I would ask the South Kanara cultivators to cut down all their pepper vines and plant cashew nut or something else. That will take the wind out of the sails of the Government. I would even suggest this drastic course to them.

"Now, it is perfectly clear therefore that this arrest was illegal under this section 48 and I hope the Hon. the Revenue Member will extend his sympathy to these people and find out exactly how this lamentable state of things had come to pass."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, whatever the circumstances connected with this case may be, the law that empowers Revenue officers to arrest and imprison landholders is a very harsh law and it should have been abolished long ago. It is a pity that this obsolete law has been enforced in the present case. The legal aspect of the question has been explained by my Friend Mr. Menon and I do not want to touch that point. In South Kanara, there are many landholders who are not able to pay the assessment in time especially because the pepper gardens in the Hosdrug sub-taluk which bore the tax of one and two annas have been raised to the level of regular gardens. The assessment has risen from a small sum to Rs. 4,000 and Rs. 5,000. The last kist was due in May. Even now there are landholders who have not been able to pay their assessment fully. Even I could not pay the kist in time, although it was due last May. So it is high time that such a law is abolished."

* Mr. A. B. SHETTY:—"Mr. President, this adjournment motion has been moved in an elaborate speech by my Friend Mr. Bhatt and my hon. Friend from Malabar has seconded it in a well-reasoned speech like the able advocate that he is. Mr. Schamnad who is not an unfriendly critic of Government has come forward in support of the motion before the House. Sir, the facts of the case were briefly stated and published in the columns of the *Hindu* a few days ago by the Honorary Secretary of the Landholders' Association, South Kanara. I do now know, Sir, whether many people are aware that there is a section in the Revenue Recovery Act which makes it legal for Government to arrest and imprison defaulters. Government have ample powers under the Act to distrain movables and standing crops and to attach and sell immovable properties. They have not exhausted the means at their disposal in this particular case, and, as has been pointed out, the person arrested and imprisoned was not responsible for the payment of the kist. He has not also made any wilful default.

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[Mr. A. B. Shetty]

Under these circumstances, it is necessary for the Government to find out what justification there was for arresting and imprisoning him. The Government must be well aware that in the Hosdrug division of South Kanara there have been large arrears of revenue during the last few years. On account of phenomenal fall in the price of pepper in particular the ryots have been hard hit. The recent enhancement of revenue in spite of the unanimous protest of the people has reduced the ryots to a sad plight. To add to all this, the Government have begun to collect resurvey charges also from the people in this part of the district. In this sorry state of affairs I would like to know whether the Government intend to pursue this policy of using this new method of coercion for collecting the balance due to them. It is to draw the attention of Government to this matter and to the strong feeling that has been aroused in the district by the new policy which the Government seem to have adopted that this adjournment motion has been moved. I hope and trust, Sir, that the Hon. the Revenue Member will see what reparation can be made in this matter and tell the House whether Government intend to pursue this new policy of arresting and imprisoning people for any default in the payment of revenue."

Mr. M. S. SRESHTA:—"After the very clear exposition of the case from different aspects by the previous speakers, I do not think it is necessary for me to say much; but I would be failing in my duty if I do not join in what has been said by the previous speakers. Speakers from different parties, as stated by Mr. Shetty, were of the same mind as regards this matter. I would also join my hon. Friend, Mr. Raman Menon in saying that we cannot blame any particular individual. As regards the Collector himself, I must say that he is a very sympathetic gentleman. (A voice: 'Hear, hear.') I do not think, from what I have seen in the papers, that he is to be blamed. He took action as soon as he could. I do not know who is to blame in the matter. Perhaps the incident is due to some very enthusiastic official who wanted to get honour. With that object he probably tried to get the assistance of a forgotten section in the Revenue Recovery Act. When we hear all around us the cry that imprisonment for civil debt should be abolished and when, as a matter of fact, such imprisonment has almost been abolished in several countries, it is very extraordinary that this power which has not been used so far as revenue recovery is concerned for some years now, has been used on this occasion. This shows that officialdom must sometimes be kept in check. We had another instance about which we had discussion this morning. A certain person was flogged and two days afterwards he died of dysentery."

The Hon. Sir K. V. REDDI NAYUDU:—"Is it relevant, Mr. President, to the motion before the House? If he refers to it, I would have no right of reply."

Mr. M. S. SRESHTA:—"I do not know why the Hon. the Law Member seems to be very keen on this question. I think that he as a

[Mr. M. S. Sreshta]

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Member of Government should be as anxious as we are to see that justice is done. If a man dies two days after he is flogged, it is very necessary that some stringent enquiry should be held."

* The Hon. the PRESIDENT:—"The hon. Member may limit his observations to the South Kanara business."

Mr. M. S. SRESHTA:—"I bow to your ruling, Sir. As I was saying, I do not blame any official in the matter. As a matter of fact, so far as the Collector is concerned, I have paid him a tribute. But all the same, some enquiry must be held to find out whether action should have been taken under this obsolete section and a person taken to jail where he stands the risk of losing his life.

"Sir, we have been told that it is an absolutely illegal action. That point has been fully explained to the House by my hon. Friends. But I may point out that there is no proof that an attempt has been made to liquidate this debt by bringing the property of the man for sale. A man has been straightaway arrested. I believe so far as civil law is concerned, if there is a mortgage debt, you have got this dual remedy. You must first proceed against the land. In the same way, so far as revenue recovery is concerned, you must first proceed against the land. This being so, it is clearly illegal and as such the matter deserves a careful enquiry. I have no doubt that the Hon. the Revenue Member who is also a very sympathetic official—he was himself in South Kanara and has got a great reputation for sympathy—will see that such acts are not repeated in the same district or elsewhere. This shows the desirability of officials having to be very careful in carrying out the provisions of any Act."

* The Hon. Mr. C. A. SOUTER:—"Mr. President, Sir, as I wanted to say this morning,—I was then ruled out of order—I know nothing about this case at all. As I have already told the House, I have asked for a report on the matter.

"In this connexion I have to say a few things about the speech of my hon. Friend, the Mover. I must say that I take great exception to the manner in which my hon. Friend the Mover, Mr. Subrahmanya Bhatt has referred to Mr. Gawne as Collector. Throughout his speech his reference to Mr. Gawne personally seemed to me to savour of a great deal of personal animosity."

Mr. U. C. SUBRAHMANYA BHATT:—"A word of personal explanation, Sir." (Cries of 'Order, order.')

The Hon. Mr. C. A. SOUTER:—"I do think, Sir, that those remarks ought not to be made on the floor of this House."

* Mr. U. C. SUBRAHMANYA BHATT:—"Sir, I may say that there is absolutely no personal animosity or anything of the sort. The reason I have made the remarks complained of is this: The Collector's order on the petition, dated 15th September says that though the property

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has not produced enough and there is nothing to pay, he must pay from the capital. That shows that his bent of mind was unsympathetic towards that individual."

* The Hon. Mr. C. A. SOUTER:—"Mr. Bhatt has attempted an explanation. I can only say that the remarks of my hon. Friends, Messrs. Raman Menon, Schammad Sahib and Shetty do not bear out the character which he would impute to Mr. Gawne. As I said, Sir, I know nothing about this matter. I am making enquiries into it.

"It has been advanced that this is the Government policy. The Government knows nothing about this matter. It is not the Government policy. If in an isolated case like this a wrong has been done, it will be set right. All I can say is that during the 35 years of my service, although I knew of this provision in the Act, I have never used it. My Hon. Colleague, Mr. Bracken, who has been in this country for about the same period as myself, has also not used it. To say that it is Government policy to use this section is wrong. Well, if it is a question of having that section repealed, I have no objection at all to look into that matter. The section is there no doubt, but that is no reason at all for saying that it is being used in this manner. I cannot answer that point, because I do not know the facts of the case. All I can say is that I shall enquire into the matter and, if necessary, look into the question of amending section 48 of the Revenue Recovery Act."

* Mr. U. C. SUBRAHMANYA BHATT:—"One word in reply, Sir. With specific reference to the remarks made by the Hon. the Revenue Member regarding that portion of my speech which referred to Mr. Gawne, I may say, Sir, that as head of the district we expected him to show more responsibility towards the people. He ought to have realized the state of the people and apprised the higher authorities regarding the condition of the people and their inability to pay the kist. The very fact that he has not done that, the very fact that he as the head of the Government in the district has allowed these repressive measures under section 48 to arrest and imprison persons—a section which the Hon. the Revenue Member himself says has not been used by him or by any other official in this Presidency during the 30 years of their experience—shutting his eyes to the real cause of non-payment, is sufficient proof that sufficient sympathy has not been shown to the people. I appeal to the House on these facts to judge as to whether my remarks were not based on facts or whether they were based on any personal animosity. So far as I am concerned, I have no personal animosity towards the Collector. I move with him in the best of terms. I give this assurance to the House and I hope my Hon. Friend the Revenue Member will take it in the light in which it is offered. I do not mean any disrespect to the Collector or to anybody else. Here are the facts and, coupled with this conduct there is the order of the Collector on the petition, dated 15th September 1935 which says that irrespective of the fact whether the property yields the money or not, the amount must be paid out of the capital. Even this morning it

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was elicited in answer to a question that about Rs. 2,000 was collected from the district as process-fee on distraint warrants issued against defaulting pattadars. That shows the mentality of the officer who has passed that order. I am not going to say anything more. It is only as a reply to the accusation which the Hon. the Revenue Member has thought fit to make that I have made these remarks. The Hon. Member has not cared to get the information and place it before the House though this matter was published long ago and I myself had written to him about it. All that he still has to say is he knows nothing about it and he will enquire. Not a word is said about the larger question of excessive taxation which is the cause of this crisis or regarding the special hardships of the Subtaluka of Hosdrug referred to above."

The motion was put and declared lost.

Mr. U. C. Subrahmanya Bhatt demanded a poll and the House divided thus:—

Ayes 6.

- 1 Mr. M. S. Sreshta.
- 2 " U. C. Subrahmanya Bhatt.
- 3 Mrs. A. Rukmani Lakshmiopathi.

- 4 Mr. K. P. Raman Menon.
- 5 " P. M. Thangal.
- 6 " P. V. Krishnayya Choudari.

Noes 35.

- 1 The Hon. Sir K. V. Reddi Nayudu.
- 2 " Rao Bahadur A. T. Pan-nirselyam.
- 3 " Mr. C. A. Souter.
- 4 " Mr. G. T. H. Bracken.
- 5 " Diwan Bahadur S. Ku-maraswami Reddiyar.
- 6 " Mr. P. T. Rajan.
- 7 " the Raja of Bobbili.
- 8 Diwan Bahadur C. Natesa Muda-liyar.
- 9 Mrs. K. Alamelumangathayaramma.
- 10 Mr. W. Scott Brown.
- 11 " H. R. Uzielli.
- 12 " C. E. Jones.
- 13 " G. T. Boag.
- 14 " R. Madanagopal Nayudu.
- 15 " T. B. Russell.
- 16 " T. Sundara Rao Nayudu.
- 17 Khan Sahib Syed Tajuddin Sahib Bahadur.

- 18 Mr. V. M. Ramaswami Mudaliyar.
- 19 " G. Ranganatha Mudaliyar.
- 20 " M. Devadasan.
- 21 Rao Sahib N. Siva Raj.
- 22 Mr. D. M. Reid.
- 23 " W. K. M. Langley.
- 24 " P. V. Rajagopal Pillai.
- 25 " V. G. Vasudeva Pillai.
- 26 " J. M. Smith.
- 27 Rao Sahib V. Dharmalingam Pillai.
- 28 Rao Bahadur D. Krishnamurti.
- 29 Mr. M. G. Patnaik Mahasayo.
- 30 Diwan Bahadur A. M. M. Muru-gappa Chettiyar.
- 31 Mr. G. Sriramulu.
- 32 Rao Sahib D. V. Narasimhaswami.
- 33 " Pandit Ganala Rama-murti.
- 34 Mr. K. Kesavaramamurti Nayudu.
- 35 " C. Basu Dev.

Neutral 18.

- 1 Mr. P. K. Ramachandra Padayachi.
- 2 Khan Bahadur Mahmud Schamnad.
- 3 Mr. M. B. Rangaswami Reddi.
- 4 Dr. P. Subbaravan.
- 5 Diwan Bahadur T. A. Ramalinga Chettiyar.
- 6 Mr. Basheer Ahmed Sayeed.
- 7 " T. S. Ramaswami Ayyar.
- 8 " A. B. Shetty.
- 9 Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.

- 10 B. Pocker Sahib Bahadur.
- 11 Mr. M. A. Manikkavelu Nayakar.
- 12 " P. Peddi Raju.
- 13 " K. A. Nachiyappa Gounder.
- 14 " K. M. Duraiswami Reddiyar.
- 15 " J. A. Davis.
- 16 Rao Sahib V. I. Muniswami Pillai.
- 17 Mr. S. M. K. Beyabani Sahib Bahadur.
- 18 Subadar-Major S. A. Nanjappa.

Ayes: 6. *Noes*: 35. *Neutral*: 18.

The motion was lost.

The House then adjourned to meet again at 11 a.m. the next day.

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IX.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 1 G.O. No. 1866, Revenue, dated 9th August 1935, remitting the suspended amount of land revenue in fasli 1344.

† 2 Proceedings of the Finance Committee, dated 15th July 1935, and 5th August 1935.

‡ 3 Communication to the Council with reference to the answer given to question No. 793 at the meeting of the Legislative Council held on 11th March 1935.

§ 4 List of posts on Rs. 500 per mensem and above created during the quarter ending 30th June 1935.

|| 5 G.O. No. 2272, Revenue, dated 26th September 1935, ordering the publication of certain amendments to the rules under the Madras Survey and Boundaries Act, 1923.

¶ 6 U.O. Note No. 2469-D/35-4, P.W. & L., dated 14th October 1935, with reference to the answer given to question No. 99 at the meeting of the Council held on the 7th August 1935.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

* Laid on the table on 10th August 1935.

† Sent by post.

‡ Printed as Appendix XIV on page 125 infra.

§ Printed separately.

|| Printed as Appendix XV on page 126 infra.

¶ Printed as Appendix XVI on pages 127-129 infra.

|| Printed as Appendix XVII on pages 129-130 infra.

¶ Printed as Appendix XVIII on pages 131-132 infra.

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APPENDIX I.

[Vide answer to question No. 225 asked by Mr. U. C. Subrahmanya Bhatt, at the meeting of the Legislative Council, held on the 29th October 1935, page 23 supra.]

“*Prabhath*,” Mangalore, 23rd June 1935.

“Accusation against the Quetta military by Devaraj! No proper attention given to saving of life; imposition of restriction is wrong!”,

The Quetta earthquake. an article which purports to be a reproduction from “S.K.” in which Acharya Kripalani, the Congress Secretary, is reported to have made the following observations:—

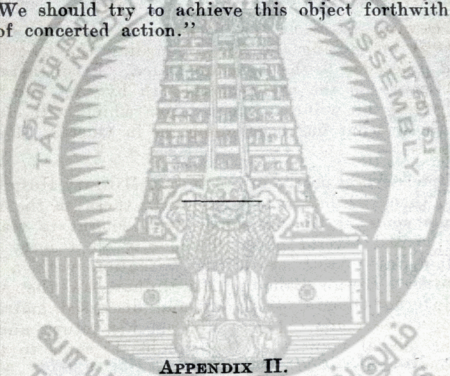
Mr. Devaraj Sethi of the Servants of Peoples’ Society, immediately on getting the news regarding the Quetta earthquake, had proceeded to the devastated area. From there he proceeded to Lahore on the night of the 7th by cart and while he was travelling he wrote to me a letter which will clearly show to everybody what has been going on in Quetta. His letter is as follows:—

“I met several people in the Indian Military Hospital and talked to them. I had a talk also with those on the race-course. I met some of the authorities and sought to make enquiries. I visited several parts of the city in a lorry and tried to acquaint myself with the situation with a dispassionate mind. Diwan Bahadur Muralidhar saw the Agent to the Governor-General yesterday and discussed matters with him for three hours. I met him on his return and ascertained the official view. On the whole, I came to the following conclusion:—

- (1) The Government and the Military have done wrong in preventing non-official people from entering the devastated area. If these had been permitted, they would have rendered immense help.
- (2) *Indifference of the military*.—The work of removing the debris should not have been stopped, nor the efforts in that direction slackened. I saw a child of three removed alive from under the debris after four days. Pandit Gyanachand has seen a man removed alive from under the debris after four days. If the debris had been removed expeditiously, hundreds of persons could undoubtedly have been rescued, as also property to the value of several lakhs. But the men of the Military department were greatly alarmed and they did not pay adequate attention to the saving of life.
- (3) There was no lack of medical relief to the injured, but much more relief could have been given from non-official agencies.

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- (4) It is reported that a certain expert of Simla has suggested that Quetta should be closed down for a period of twelve months. This news was published by beat of tomtom on the race-course. But Diwan Bahadur Muralidhar told me that this had not been finally decided upon. Another friend informed me that the matter will be decided on the 25th. But I think that our prime duty is to agitate for the prompt removal of the debris. This being an extremely hot month in Quetta, there could be no fear of any obnoxious smell. If we should succeed in getting the authorities to agree to the prompt removal of the debris, we shall have done adequate service to the survivors. I think it is absolutely necessary to do this. We should try to achieve this object forthwith by means of concerted action."



APPENDIX II.

[Vide answer to question No. 226 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 29th October 1935, page 23 supra.]

Statement.

Name of the press or the newspaper.	Amount of security demanded.	Remarks
<i>Presses.</i>		
	Rs.	
The Indian Express Press, Madras ..	2,000	
The Mangalore Press, Mangalore ..	2,000	Notice demanding security since withdrawn.
<i>Newspapers.</i>		
<i>Dhinamani</i> , Madras	2,000	
<i>Kistna Patrika</i> , Masulipatam	2,000	
<i>Trilinga</i> , Madras	1,500	Notice demanding security since withdrawn.
<i>Prabhat</i> , Mangalore	2,000	Do.

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APPENDIX III.

[Vide answer to question No. 230 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th October 1935, page 27 supra.]

STATEMENT NO. I.—*Statement showing the number of vacancies of Sub-Inspectors of Police in each district since 1930*

District.	1930.	1931.	1932.	1933.	1934.
Ganjam	4	4	10	4	1
Vizagapatam	..	..	2	3	2
Jeypore	2	4	..	5	3
East Godavari	6	4	2	6	6
West Godavari	..	2	2	2	1
Kistna	4	5	5	1	3
Guntur	2	1	5	3	1
Nellore	2	1	1	5	3
Kurnool	6	3	3	7	3
Bellary	..	5	1	4	..
Anantapur	9	1	5	7	3
Cuddapah	3	3	1	4	2
Chittoor	11	1	1	6	6
North Arcot	8	5	5	7	2
Chingleput	1	1	2	2	1
Salem	9	9	3	5	2
Madura, North	4	4	2	7	4
Madura, South	1	1	..	1	1
Ramnad	4	4	1	1	3
Tinnevelly	3	4	1	2	6
Coimbatore	4	6	2	3	4
The Nilgiris	1	1	2	..	1
Malabar	2	2	2	2	3
South Kanara	3	5	1	3	2
South Arcot	5	3	4	3	4
Tanjore	5	5	3	3	5
Trichinopoly	11	4	5	3	5

STATEMENT NO. II.—*Statement showing the number of candidates selected for Sub-Inspector's posts during the years 1930-1934 communalwar.*

District.	Number selected.	Non-Brahman Hindu.	Muham- madan.	Indian Christian.	Brahman.	Scheduled classes.	Total.
1930.							
Madras City	8	1	6	1	..	..	8
Ganjam	6	3	1	1	1	..	6
Vizagapatam	2	..	..	1	1	..	2
Jeypore	..	..	..	..	..	..	..
East Godavari	3	1	1	1	..	..	3
West Godavari	2	2	..	..	..	..	2
Kistna	1	..	..	..	1	..	1
Guntur	3	..	1	1	1	..	3
Nellore	1	1	..	..	..	..	1
Kurnool	3	1	1	1	..	..	3
Bellary	3	..	..	2	..	1	3
Anantapur	1	1	..	..	..	..	1
Cuddapah	3	1	1	..	1	..	3
Chittoor	2	2	..	..	..	..	2
North Arcot	3	2	..	..	1	..	3
Chingleput	5	2	1	..	2	..	5

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Statement No. II—cont.

District.	Number selected.	Non-Brahman Hindu.	Muham- madan.	Indian Christian.	Brahman.	Scheduled classes.	Total.
1930—cont.							
Salem	2	2	1	..	2	..	2
Madura	3	..	1	..	..	..	3
Ramnad	5	4	..	..	..	1	5
Tinnevely	11	7	1	2	..	1	11
Coimbatore	3	2	..	1	..	..	3
The Nilgiris	1	..	1	..	..	..	1
Malappuram	..	..	..	..	..	..	..
Malabar	6	3	1	..	1	1	6
South Kanara	2	1	..	..	..	..	2
South Arcot	1	..	..	..	1	..	1
Tanjore	5	..	2	1	1	1	5
Trichinopoly	3	..	1	1	1	..	3
From outside the Presi- dency	1	..	..	..	1	..	1
Total	89	36	19	14	15	5	89
1931.							
Madras City	2	1	..	1	..	..	2
Ganjam	1	1	..	..	..	..	1
Vizagapatam	1	..	..	..	1	..	1
Jeypore	..	..	..	..	..	..	..
East Godavari	2	1	..	..	1	..	2
West Godavari	2	1	1	..	..	..	2
Kistna	..	..	..	..	..	..	..
Guntur	1	1	..	..	..	..	1
Nellore	2	1	1	..	..	..	2
Kurnool	..	..	..	..	..	..	..
Bellary	..	..	..	..	..	..	..
Anantapur	..	..	..	..	..	..	..
Cuddapah	..	..	..	..	..	..	..
Chittoor	..	..	..	..	..	..	..
North Arcot	2	2	..	..	1	..	2
Chingleput	1	..	2	1	..	..	1
Salem	2	2	..	..	..	..	2
Madura	2	1	..	..	..	..	2
Ramnad	..	..	1	..	..	..	..
Tinnevely	2	..	..	..	..	..	2
Coimbatore	..	..	..	..	..	..	..
The Nilgiris	..	..	..	..	..	..	..
Malappuram	..	..	..	..	1	..	..
Malabar	3	2	..	..	..	..	3
South Kanara	..	..	..	..	..	..	..
South Arcot	..	..	..	1	..	..	..
Tanjore	2	1	1	..	..	1	2
Trichinopoly	2	1	..	..	..	..	2
From outside the Presi- dency.	2	..	6	3	4	1	2
Total	29	15	6	3	4	1	29

[29th October 1935]

Statement No. II—cont.

District.	Number selected.	Non- Brahman Hindu	Muham- madan.	Indian Christian.	Brahman.	Scheduled classes.	Total.
1932.							
Madras City	1	1	..	..	..	..	1
Ganjam	1	1	..	..	..	..	1
Vizagapatam	1	..	..	..	..	1	1
Jeypore	..	..	..	..	..	..	..
East Godavari	5	2	..	..	2	1	5
West Godavari	..	..	..	..	..	..	..
Kistna	1	..	1	..	..	..	1
Guntur	1	..	..	1	..	..	1
Nellore	2	1	..	1	..	..	2
Kurnool	2	..	2	..	..	..	2
Bellary	2	2	..	..	..	..	2
Anantapur	3	1	1	..	..	1	3
Cuddapah	..	..	..	..	..	..	..
Chittoor	..	..	..	..	..	..	..
North Arcot	2	..	1	..	1	..	2
Chingleput	3	..	..	1	1	1	3
Salem	..	..	..	..	..	..	..
Madura	3	1	1	1	..	..	3
Ramnad	..	..	..	..	..	..	..
Tinnevely	2	1	..	1	..	..	2
Coimbatore	1	1	..	..	..	..	1
The Nilgiris	..	..	..	..	..	..	..
Malappuram	..	..	..	..	..	..	..
Malabar	3	2	1	..	..	..	3
South Kanara	..	..	..	..	..	..	..
South Arcot	..	..	..	..	..	..	..
Tanjore	2	..	..	..	2	..	2
Trichinopoly	3	1	..	2	..	..	3
From outside the Presi- dency.	1	1	..	..	..	..	1
Total	39	15	7	7	6	4	39

1933.

Madras City	4	1	1	..	2	..	4
Ganjam	4	1	1	..	1	1	4
Vizagapatam	1	..	..	1	..	..	1
Jeypore	..	..	..	..	..	..	..
East Godavari	2	1	..	1	..	..	2
West Godavari	1	..	..	..	1	..	1
Kistna	..	..	..	..	..	..	..
Guntur	4	3	1	..	..	..	4
Nellore	2	2	..	..	..	..	2
Kurnool	2	1	..	1	..	..	2
Bellary	..	..	..	..	..	..	..
Anantapur	..	..	..	..	..	..	..
Cuddapah	2	1	..	1	..	..	2
Chittoor	1	..	1	..	..	..	1
North Arcot	1	..	..	..	1	..	1
Chingleput	2	1	..	1	..	..	2
Salem	1	..	..	1	..	..	1
Madura	1	..	..	..	..	1	1

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Statement No. II—cont.

District.	Number selected.	Non- Brahman Hindu.	Muham- madan.	Indian Christian.	Brahman.	Scheduled classes.	Total.
1933—cont.							
Ramnad	1	1	..	..	..	..	1
Tinnevely	5	2	2	1	..	..	5
Coimbatore	3	2	..	..	1	..	3
The Nilgiris	..	..	..	..	..	..	..
Malappuram	..	..	..	..	..	..	..
Malabar	3	1	1	..	1	..	3
South Kanara	3	1	..	2	..	..	3
South Arcot	..	..	..	..	..	..	..
Tanjore	4	3	..	1	..	..	4
Trichinopoly	1	..	..	..	1	..	1
From outside the Presi- dency	2	2	..	..	..	..	2
Total	50	23	7	10	8	2	50
1934.							
Madras City	5	2	1	1	..	1	5
Ganjam	8	3	1	1	2	1	8
Vizagapatam	2	1	..	..	1	..	2
Jeypore	..	..	..	..	..	..	..
East Godavari	4	3	..	1	..	..	4
West Godavari	1	1	..	..	..	..	1
Kistna	2	2	..	..	..	..	2
Guntur	1	..	..	1	..	..	1
Nellore	1	..	1	..	..	..	1
Kurnool	3	..	1	1	..	1	3
Bellary	3	1	..	1	1	..	3
Anantapur	1	..	..	..	1	..	1
Cuddapah	2	..	..	1	..	1	2
Chittoor	4	2	2	..	..	..	4
North Arcot	6	1	1	..	2	2	6
Chingleput	..	..	..	..	..	..	..
Salem	2	..	2	..	..	..	2
Madura	4	1	2	..	..	1	4
Ramnad	2	1	..	..	1	..	2
Tinnevely	6	2	..	4	..	..	6
Coimbatore	3	1	1	..	1	..	3
The Nilgiris	..	..	..	..	..	..	..
Malappuram	..	..	..	..	..	..	..
Malabar	6	3	3	..	..	..	6
South Kanara	1	..	..	..	..	1	1
South Arcot	1	1	..	..	..	..	1
Tanjore	2	..	..	..	2	..	2
Trichinopoly	2	1	..	..	1	..	2
From outside the Presi- dency	2	2	..	..	..	..	2
Total	74	28	15	11	12	8	74

[29th October 1935]

APPENDIX IV.

[Vide answer to question No. 239 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 29th October 1935, page 34 supra.]

Name of taluk.	(1)	1932.				1933.				1934.			
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
		Number of cattle killed by wild animals.	Number of people killed by wild animals.	Number of rewards given for the destruction of wild animals.	Amount of reward given for the destruction of wild animals.	Number of cattle killed by wild animals.	Number of people killed by wild animals.	Number of rewards given for the destruction of wild animals.	Amount of reward given for the destruction of wild animals.	Number of cattle killed by wild animals.	Number of people killed by wild animals.	Number of rewards given for the destruction of wild animals.	Amount of reward given for the destruction of wild animals.
Vellore	..	84	..	..	..	117	..	..	..	96	..	..	..
Arni	..	2	..	..	..	..	..	..	..	..	..	..	..
Polur	..	..	..	..	..	..	..	..	..	..	..	..	..
Tiruvanamalai	..	..	..	..	..	..	..	..	..	..	..	..	..
Chengam	..	1	..	2	20 0 0	..	..	3	30 0 0	2	..	1	10 0 0
Wandiwash	..	..	..	..	..	..	..	..	..	..	..	..	..
Cheygar	..	..	..	..	..	..	..	..	..	..	..	..	..
Wallajah	..	..	..	..	..	..	..	1	15 0 0	..	2	2	15 0 0
Arkonam	..	..	..	..	..	..	..	..	..	1	2	1	5 0 0
Gudiyattam	..	14	..	1	10 0 0	25	..	1	15 0 0	27	..	..	..
Tirupattur	..	88	..	1	10 0 0	83	..	..	..	50	..	1	15 0 0
Total	..	189	..	4	40 0 0	225	..	5	60 0 0	178	2	6	57 0 0

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APPENDIX V.

[Vide answer to question No. 243 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 29th October 1935, page 36 supra.]

Name of District Board.	Total ordinary expenditure of district boards (including village development fund) in 1933-34.*	Total ordinary expenditure of all the taluk boards in the district in 1933-34.*	The total of columns (2) and (3).*	The total ordinary expenditure of each district board according to revised estimate for 1934-35.	or increase + or decrease - in column (6) as compared with column (1).
(1)	(2)	(3)	(4)	(5)	(6)
RS.	RS.	RS.	RS.	RS.	RS.
Anantapur ..	3,16,594	99,826	4,16,420	4,76,070	+ 59,650
Arcot, North ..	5,89,537	1,30,504	7,20,041	6,77,120	- 42,921
Arcot, South ..	6,79,881	2,26,911	9,06,792	8,02,640	- 1,04,152
Bellary ..	2,87,716	98,725	3,86,441	4,10,270	+ 23,829
Chingleput ..	5,90,161	1,28,453	7,18,614	5,86,560	- 1,32,054
Chittoor ..	4,53,989	1,16,579	5,70,568	5,79,480	+ 8,912
Coimbatore ..	11,31,953	3,15,646	14,47,599	13,56,480	- 91,119
Cuddapah ..	3,09,154	1,14,180	4,23,334	3,76,693	- 46,641
Ganjam ..	6,80,252	2,14,624	8,94,876	9,78,350	+ 83,474
Godavari, East ..	6,79,900	3,24,738	10,04,638	9,81,327	- 23,311
Godavari, West ..	7,43,999	1,63,280	9,07,279	8,82,830	- 24,449
Guntur ..	10,23,738	2,12,611	12,36,349	9,70,970	- 2,65,379
Kanara, South ..	4,87,860	1,28,249	6,16,109	7,15,740	+ 99,631
Kistna ..	8,33,826	1,82,271	10,16,097	9,31,120	- 84,977
Kurnool ..	3,80,963	1,25,514	5,06,477	5,17,960	+ 11,483
Madura ..	8,38,721	2,30,765	10,69,486	10,66,300	- 3,186
Malabar ..	8,59,892	2,48,981	11,08,873	11,93,010	+ 84,137
Nellore ..	6,08,667	1,86,480	7,95,147	† 6,61,520	- 1,33,627
Nilgiris † ..	2,39,285	..	2,39,285	2,66,627	+ 27,342
Ramnad ..	4,99,464	2,40,443	7,39,907	9,01,330	+ 1,61,423
Salem ..	5,30,095	1,72,269	7,02,364	8,28,240	+ 1,25,876
Tanjore, East ..	§ 33,42,696	3,74,596	§ 37,17,292	|| 15,84,160	- 21,33,132
Tanjore, West ..		2,85,381	8,39,629	9,08,210	+ 68,581
Tinnevely ..	6,63,581	1,87,491	8,51,072	10,77,720	+ 2,26,648
Trichinopoly ..	} 6,23,755	2,26,512	8,50,267	8,07,523	- 42,744
Vizagapatam ..		..	..	..	..
Bobbili ..	..	..	..	..	..

* These figures include investments of Rs. 1'94 lakhs.

† Revised estimate not yet received. The budget figures have been entered.

‡ There were no taluk boards in this district.

§ This includes a sum of Rs. 20,87,970 being the loan from railway funds taken for metalling mud roads and adjusted as contribution in the General Account—Ordinary.

|| This is budget figure. This board was bifurcated with effect from the 17th December 1934.

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APPENDIX VI.

[Vide answer to question No. 249 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th October 1935, pages 41 and 42 supra.]

(1)

G.O. No. 1510, L. & M., dated 15th April 1935.

READ—the following papers:—

From the President of the Coimbatore District Board, dated 8th August 1934, No. 2229-D.B./34.

From the Accountant-General, dated 1st March 1935, No. P.V. 3274.

Order—No. 1510, L. & M., dated 15th April 1935.

The presidents of district boards are informed that there is no objection to the payment of compensation pension under Article 426, Civil Service Regulations, according to the rates strictly admissible under Article 474, Civil Service Regulations, to the discharged employees of the late taluk boards whose services were pensionable under Article 802, Civil Service Regulations, and who have not been provided with appointments under the district boards at present. A statement showing the number of pensionable posts abolished consequent on the abolition of taluk boards and the savings thus effected should be furnished by the presidents of district boards direct to the Accountant-General.

2. They are also informed that such of the pensionable employees of the late taluk boards as have been provided with appointments under the district boards are eligible to draw compensation pension exactly in the same way as the employees referred to in paragraph 1 above, simultaneously with their pay in the district board service under Article 439, Civil Service Regulations, and that the limitations imposed in Article 514 (a), Civil Service Regulations, do not apply to their cases. Such employees shall be regarded as new entrants to the district board service and they are entitled only to subscribe to the provident fund in respect of their service under the district boards. The general permission accorded in G.O. No. 3941, L. & M., dated 5th September 1934, for the continuance of payment by the district boards of pensionary contribution on behalf of the employees of late taluk boards absorbed in the service of the district boards, is hereby cancelled, and the pensionary contribution paid up to date, if any, in pursuance of that Government Order will be refunded to the district boards concerned.

3. The powers now enjoyed by the presidents of district boards under Article 423 (1), Civil Service Regulations, to condone deficiencies in the qualifying service of officers up to a maximum of three months, will

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be withdrawn so far as pensions to the employees of the late taluk boards are concerned, and the pensions (including gratuity) should be sanctioned only for the completed years of service qualifying for pension. Any cases of hardship (e.g., where a deficiency of few days might result in disproportionate reduction of pension) may, however, be submitted for the orders of Government.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
 „ all Collectors.
 „ the Accountant-General (through the Finance Department).
 „ the Finance Department.
 „ the Revenue Department.
 „ the Examiner of Local Fund Accounts.
 „ the Inspector of Municipal Councils and Local Boards.

(2)

G.O. No. 3314, L. & M., dated 16th August 1935.

READ—the following papers:—

G.O. No. 3265, L. & M., dated 12th July 1934.

G.O. No. 4471, L. & M., dated 6th October 1934.

G.O. No. 1510, L. & M., dated 15th April 1935.

Order—No. 3314, L. & M., dated 16th August 1935.

In paragraph 2 of G.O. No. 1510, L. & M., dated the 15th April 1935, Government stated that such of the pensionable employees of the late taluk boards as have been provided with appointments under the district boards and are eligible to draw compensation pension, shall be regarded as new entrants to the district board service. With reference to this statement, the question has now been raised as to whether these employees have forfeited the leave which they could otherwise retain in terms of G.O. No. 4471, L. & M., dated the 6th October 1934, and whether they should be brought under the Madras Leave Rules, 1933. The Government are accordingly pleased to issue the following instructions:—

- (i) The ex-taluk board servants referred to above shall be regarded as new entrants only for purposes of pension, or in other words, their service on re-employment under local bodies will not count for pension. They will be eligible to subscribe only to provident fund under the rules in G.O. No. 4650, L. & M., dated the 2nd December 1931, without any restriction in regard to the contribution payable by the local body concerned, under rule 14.

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- (ii) The employees shall draw pay under district boards at the rates already fixed for them by Government and the concession relating to leave allowed to them in G.Os. No. 3265, L. & M., dated the 12th July 1934, and No. 4471, L. & M., dated the 6th October 1934, will continue to apply to them, regardless of the grant of compensation pension.

2. The presidents of district boards are requested to send to the District Inspectors of Local Fund Accounts concerned, for purposes of audit, a list of ex-taluk board servants who have been absorbed in district board establishment in substantive vacancies with the amount of leave carried forward.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

APPENDIX VII.

[Vide answer to question No. 254 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 29th October 1935, page 45 supra.]

Statement of candidates belonging to Gounder, Vellala, Kamma, Golla, Reddi and Kapu communities (i) who applied and (ii) who were selected for the post of upper subordinates since 1930.

Selection.			Gounders.		Vellalas.		Kammas.		Gollas.		Reddis.		Kapus.	
			Number applied.	Number selected.	Number applied.	Number selected.	Number applied.	Number selected.	Number applied.	Number selected.	Number applied.	Number selected.	Number applied.	Number selected.
Upper subordinates, November 1931.		November	1	1	3	3	..	..	..	..	..	..	..	..
Research Assistants, November 1931.		November	1	Nil.	3	Nil.	..	..	..	..	1	Nil.	..	..
Upper subordinates, February 1934.			1	Nil.	4	1	3	2	..	2	4	1	4	3
Upper subordinates, December 1934.			..	..	8	1	1	Nil.	..	2	1	1	1	Nil.
Upper subordinates (advertised in 1935, selection not yet made).			1	..	5	..	1	..	2	..	..	..	1	..

NOTE.—There was no vacancy of the posts of upper subordinates in 1930 and no selection was therefore held.

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APPENDIX VIII.

[Vide answer to question No. 257 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 29th October 1935, page 49 supra.]

Report of the Director of Agriculture.

The only method of controlling the pest is by killing the caterpillars in large numbers and thereby checking the rapid multiplication of the insect. To this end, all the coconut leaves infested with the pest are cut and burnt. The success of this method mainly depends on the speed with which the operations are conducted and the co-operation of the tree owners in the affected area. In localities where the Pest Act was in force during previous years, the pest has disappeared and the operated trees are in good condition.

During the hot weather of 1933, the pest appeared in a serious form in Mangalore town, especially near the Mangalore Railway Station. Immediately the garden owners were advised to operate the affected trees. From June to October, about 7,646 trees were operated in Mangalore town and the adjoining villages. During the rainy weather, the pest generally subsides and the spread of the pest is watched by the Demonstrators. It will be seen therefore that the garden owners have realized the benefit in carrying out the remedial measures advocated by the department, though there are a few here and there, who fail to do so.

APPENDIX IX.

[Vide item VII (1) at page 62 supra.]

(1) (a) EXCAVATING A CHANNEL TO THE LOSARIGUTLA-PADU VILLAGE IN THE GODAVARI WESTERN DELTA.

Grant.	Head of account.	Item of expenditure.	Ultimate cost.	Amount of supplementary grant required in 1935-36.
(1)	(2)	(3)	(4)	(5)
			RS.	RS.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	55. Construction of Irrigation, etc., Works—Irrigation Works—Productive—Godavari Delta System.	Excavating a channel to the Losarigutlapadu village and special Revenue staff as shown below :—	1,02,431	
		Details of staff—	(works including special Revenue staff).	
		One Deputy Collector on Rs. 250—700 for six months	1,500	
		One upper division clerk on Rs. 55—70 for six months.	330	
		One lower division clerk on Rs. 30—55 for six months.	180	
		One typist on Rs. 30 for six months	180	
		One attender on Rs. 19—30 for six months	114	
		Four clerks in the lower division on Rs. 30—55 each to enable four additional clerks in the district to be employed as Revenue Inspectors	720	

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Grant.	Head of account.	Item of expenditure.	Ultimate cost.	Amount of supplementary grant required in 1935-36.
(1)	(2)	(3)	(4)	(5)
			Rs.	Rs.
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved— <i>cont.</i>	55. Construction of Irrigation, etc., Works—Irrigation Works—Productive—Godavari Delta System— <i>cont.</i>	Details of staff— <i>cont.</i> Seven peons on Rs. 12—17 for six months Eight chainmen on Rs. 12 for six months Travelling allowance, etc. Total	504 576 896 5,000	
	41. e. Civil Works—Transferred—Establishments—E. Executive Establishment—Temporary.	Pay of officers—Voted— One Assistant Engineer (Rs. 200—30/2—380—40/2—500)—Average pay 353½ for three years Pay of establishments—Voted—Upper and lower subordinates— Two supervisors (Rs. 60—10/3—100) for two years and five months—Average pay Rs. 83-1/9 Two supervisors (Rs. 60—10/3—100) for six months—Average pay Rs. 83-1/9 Eight overseers on Rs. 50 for seven months One draughtsman (Rs. 50) for six months (Division office) One tracer (Rs. 28) for six months (Division office). Office establishments— One clerk, lower division, on Rs. 30 for seven months Two clerks, lower division, on Rs. 30 for two years five months Two peons, Rs. 12 each, for two years five months Two peons, Rs. 12 each, for six months Three peons, Rs. 12 each, for three years One clerk, upper division, Rs. 55 for 2 years 5 months Contingencies at 5 per cent Leave allowance at 5 per cent Travelling allowance at 10 per cent Supervision charges at 5 per cent	12,720 4,821 998 2,800 300 168 210 1,740 696 144 1,296 1,595 27,488 1,374 1,374 2,748 32,984 1,649	
				34,633 or 35,000

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Explanatory Note.

Losarigutlapadu is a large village situated in the south-east corner of Bhimavaram taluk in West Godavari district. Its area is roughly 13,600 acres. It consists mainly of waste lands interspersed with sandy ridges and swamps overgrown with low jungle. Except for an extent of 1,500 acres now under cultivation by the Circars Agricultural Development Corporation, Limited, Narasapur, and about 1,160 acres of land comprised in another scheme for extension of irrigation in the Godavari Western Delta, the rest of the area is lying waste.

As a result of the proposal to replace the 2 feet falling shutters over the Godavari anicut by 3 feet ones which has been approved by Government in March 1935 and for whose execution provision has been made in the current year's budget it will be possible to make extensions of irrigation in the delta. It is therefore proposed to provide irrigation facilities to the waste lands in Losarigutlapadu aggregating 3,678 acres. Of this extent about 1,560 acres belong to the Circars Agricultural Development Corporation, about 216 acres belong to individual ryots and 1,900 acres are waste lands at the disposal of the Government. As in the case of other inclusions in the ayacut it is proposed to levy an inclusion fee at the rate of Rs. 12-8-0 or Rs. 25 per acre according as the land has been under irrigation continuously for five years or not. It is also proposed to take over on payment of cost the company's channels, drains and other masonry works required for the project (including the land covered by these drains and channels), and lands required for widening the existing channels and drains. The cost of this which is estimated by the Chief Engineer for Irrigation at Rs. 17,431 (including 15 per cent solatium) will be set off against the inclusion fees payable by the company. The consent of the company in writing to all these conditions will be obtained before the Government are committed to any expenditure. Waste lands belonging to Government which will be included in the ayacut will be sold in public auction.

For the preparation of detailed estimates and for the execution of this and the Vemuladevi scheme (item 1 (b) on page 119 *infra*) it is proposed to form a special Public Works subdivision and employ Special Revenue staff for land acquisition work.

The scheme is expected to yield a net revenue of Rs. 16,701, equivalent to a return of 12.4 per cent, and is highly remunerative. It is therefore proposed to introduce the scheme in the current year by moving a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The expenditure for works in the current year (*viz.*, Rs. 100) in excess of the token grant will be met by reappropriation. Rupees 5,000 required for establishment for this and the Vemuladevi scheme will also be met by reappropriation.

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1 (b) EXCAVATING A CHANNEL TO VEMULADEVI SCHEME IN THE GODAVARI WESTERN DELTA.

Grant.	Head of account.	Item of expenditure.	Ultimate cost.	Amount of supplementary grant required in 1935-36.
(1)	(2)	(3)	(4)	(5)
VI. Irrigation (excluding Cauvery-Mettur Project)—Reserved.	55. Construction of irrigation, etc., works— Irrigation works— Productive—Godavari Delta system.	Excavating a channel to Vemuladevi village —Godavari Western Delta.	RS. 1,18,630 (works outlay).	RS. 100

Explanatory Note.

Vemuladevi village, in Narasapur taluk, West Godavari district, is situated on the right bank of the Vasista Godavari river near its confluence with the sea. Its area is about 6,570 acres. It consists mostly of waste lands interspersed with sandy ridges or mounds and uncultivable swamps. Garden and dry crops are raised on the ridges. The rest of the area is almost all lying waste. About 2,000 acres of these waste lands were assigned to the Narasapur Agricultural Company in 1921 on certain conditions.

The replacement of the 2-feet falling shutters over the Godavari anicut by 3-feet ones,—a proposal approved by Government in March 1935 and to carry out which provision has been made in the current year's budget—will make extensions of irrigation in the delta possible. It is therefore proposed to provide irrigation facilities to the waste lands of Vemuladevi village and the adjoining area. The lands will be commanded by a channel taking off from the Narasapur field sluice, an existing source of irrigation. The main channel (about 7 miles long) will be taken to the Vemuladevi area by an aqueduct (with flap shutters for the vents) which will be constructed across the Dharbarevu creek. The main channel will throw off distributaries and finally tail into the East Kukkaluru drain.

The proposals aim at bringing under irrigation an extent of 3,199 acres in Vemuladevi and the adjoining village in addition to the present ayacut of 940 acres under the existing irrigation source, making a total irrigable ayacut of 4,139 acres. This includes an extent of 1,596 acres of land held by the Narasapur Agricultural Company Limited. The company has not so far been able to bring under irrigation more than 150 acres. The present scheme will bring about 1,450 acres of the company's dry lands under irrigation. As in the case of other inclusions in the ayacut in the delta, it is proposed to levy an inclusion fee of Rs. 25 per acre on the dry lands of the company to be included in the ayacut and an inclusion fee of Rs. 12-8-0 on the minimum extent of the lands that have been irrigated in any year during the past five years with canal water. It is also proposed to take over the company's channels, drains and other masonry works required for the project (including the land covered by these drains and channels) as well as the land required for forming new project channels and drains, on payment of their value. The cost of this which is estimated by the Chief Engineer (Irrigation), at Rs. 18,630 (including 15 per cent solatium) will be set off against the inclusion fees payable by the Company.

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The consent of the Company in writing to all these conditions will be obtained before the Government are actually committed to any expenditure. Other waste lands belonging to Government which will be included in the ayacut will be sold in public auction.

For the preparation of detailed estimates and for the execution of this and the Losarigutlapadu scheme [item 1 (a) above] it is proposed to employ Special Public Works and Revenue Staff. The details of the staff are given in the summary to the note for the Finance Committee for the Losarigutlapadu Scheme.

The scheme is expected to yield a net revenue of Rs. 13,358 equivalent to a return of 8.9 per cent and is highly remunerative. It is therefore proposed to introduce the scheme in the current year by moving a demand for a supplementary grant for a token sum of Rs. 100 under "Grant VI—Irrigation (excluding Cauvery-Mettur Project)" for expenditure on the works in the current year. The expected expenditure in the current year (viz., Rs. 100) in excess of the token grant will be met by reappropriation.

APPENDIX X.

[Vide item VII (2) at page 70 supra.]

(6) CONDUCT OF ELECTIONS TO NON-UNION PANCHAYATS.

Grant.	Head of account.	Item of expenditure.	Ultimate cost.	Amount of supplementary grant required in 1935-36.
(1)	(2)	(3)	(4)	(5)
			RS.	RS.
XI.—Ministers, Civil Secretariats and Miscellaneous—Transferred.	22. V. D. General Administration—Ministers, Secretariats and Miscellaneous—Transferred—Civil Secretariats—Elections to local boards and municipalities.	Conduct of elections to non-union panchayats.	16,000	1 300

Explanatory Note.

Under rule 1 (b) of Schedule V to the Madras Local Boards Act, 1920, election expenses payable by non-union panchayats have been fixed at a flat rate, common to all panchayats, which is at present Rs. 5 per panchayat for each ordinary election, being based on an estimate of charges of holding such elections. Till 1st April 1935 the amounts recovered from these panchayats on account of election expenses were being adjusted in abatement of the charges actually incurred on the conduct of the elections. The Accountant-General, however, advised the Government that under audit rules, the recoveries should not be taken in abatement of the charges and hence suggested that the recoveries should be credited as receipts under the head "XXXV—Miscellaneous—K. Collection of payments for services rendered." The Government accepted the suggestion and directed that the change in classification be brought into force from 1st April 1935.

It was not possible to foresee this change when the Budget Estimate for 1935-36 was framed and hence the budget provision under "22. V. D. 2. Charges recoverable from Government departments, etc.—Recoveries from local bodies" takes credit for the recovery of the entire

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election expenses to be incurred in the current year. In view of the change in classification referred to, it has become necessary to provide under "22. V.D. 1. Elections to local boards and municipalities, the full amount of charges of holding election to non-union panchayats without a corresponding provision under "22. V.D. 2. Charges recoverable, etc.—Recoveries from local bodies."

It is therefore proposed to move a demand for a supplementary grant of Rs. 13,300 under "Grant XI.—Ministers, Civil Secretariats and Miscellaneous—Transferred," to cover the expenditure in the current year on the conduct of elections to non-union panchayats.

APPENDIX XI.

[Vide item VII (3) at page 71 supra.]

(3) CONSTRUCTION OF NEW BUILDINGS FOR THE HEAD-QUARTERS HOSPITAL, COCANADA.

Grant.	Head of account.	Items of expenditure.	Ultimate cost.		Amount of supplementary grant required in 1935-36.
			Recurring.	Non-recurring.	
(1)	(2)	(3)	(4)	(5)	(6)
			RS.	RS.	RS.
XXIX—Civil Works—Reserved and Transferred.	60. a. Civil Works—Not charged to Revenue—Transferred—Original works—Buildings—N. Medical—Major works.	Construction of new buildings for the Headquarters Hospital, Cocanada.	..	5,38,566 (or 5,38,600) in round figures.	100
	32. b. Medical—Hospitals and dispensaries—Transferred—B. Mufasal Hospitals and Dispensaries—	One woman Sub-Assistant Surgeon (65-7½/2-110-10/2-170).	1,340	..	
	2. Pay of establishments.	One midwife on (30-3/2-45-2/2-55).	507	..	
		Eight nurses on (65-5/2-120).	8,704	..	
		Eleven nursing orderlies on 15-1/2-19.	2,338	..	
		One compounder on Rs. 28-1/2-40.	400	..	
		Five totis Rs. 12 per mensem.	720	..	
		Bonus, 5 (2).	120	..	
	3. Allowances and Honorary—Voted.	Other compensatory allowances—	..	..	
		Ration allowances (8 on Rs. 21-14-0).	2,100	..	
		Dhoby allowance (8 at Rs. 2-10-0 per mensem and 1 at Rs. 1-12-0 per mensem).	273	..	
		Uniform allowance (8 at Rs. 56-4-0 and 1 at Rs. 22-8-0 per annum).	473	..	
	4. Contingencies	Pay of menials (1 waterman on Rs. 12).	144	..	
		Cleaning charges	24	..	
	6. Diet	..	4,465	62,926	
	7. Medicines and Hospital necessities	..	5,661	..	
	8. Other petty supplies and services.	Other petty supplies and services—Bed linen, 8 (20) and furniture, 8 (150).	..	1,360	
Total ..			27,269	6,02,852	

* NOTE.—This amount is exclusive of the cost of any additional staff which may be found necessary in connexion with the work.

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Explanatory Note.

The present buildings of the Headquarters Hospital, Cocanada, are in a dilapidated condition and are unfit for the purposes of a hospital. The necessity for constructing new buildings has long been admitted and an estimate of Rs. 1,40,000 was approved by Government so long ago as 1915, when the hospital was under municipal management. The work, however, could not be taken up, mainly on financial grounds. The Surgeon-General raised the question again in 1926 and suggested that a new hospital should be built on the site adjoining the Lady Havelock Hospital for Women and Children, Cocanada, which has now been taken over by Government from the District Board. The site of the existing main hospital was considered unsuitable as it is in one corner of the town cut off from the main portion of it and the railway station by a salt creek. It was also reported to be insanitary. The site adjoining the Lady Havelock Hospital is more central and the construction of a new hospital here will ensure efficient and economical management of the two institutions. In view of these considerations, the Government accepted the Surgeon-General's suggestion and asked for plans and estimates for constructing a new hospital on this site. Rough plans and approximate estimates were received but as the acquisition of the land required would take time, the Government considered that it would be preferable to proceed with the acquisition in the first instance. The land required for the purpose has been acquired at a cost of Rs. 70,300.

2. The construction of well-equipped up-to-date hospital buildings for the Headquarters Hospital, Cocanada, is an urgent necessity and the matter should therefore be proceeded with as expeditiously as possible. The Chief Engineer who was asked to submit detailed plans and estimates for the buildings for a new headquarters hospital has submitted only rough plans and approximate estimates. The total approximate estimate based on cubical measurements of the new buildings is Rs. 5,38,566 (or Rs. 5,38,600 in round figures).

3. The existing two hospitals in Cocanada provide accommodation as follows:—

- (1) The District Headquarters Hospital caters for both males and females with 71 beds; and
- (2) the Hospital for Women and Children with 14 beds.

The combined new hospital is intended to provide for men, women and children with the women and children's wing as a separate and distinct block utilizing the present buildings. The new hospital will have 167 beds in all, including the female ward. It is proposed to construct quarters for the following staff also:—

- 4 sub-assistant surgeons;
- 3 midwives;
- 12 nurses;
- 21 nursing orderlies; and
- 11 totis.

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The cost of the quarters will be restricted as far as possible on the basis of the standard rent leviable. The proposal also involves an ultimate recurring expenditure of Rs. 27,269 under "Establishment," "Diet," and "Medicines and Hospital necessities" and a non-recurring expenditure of Rs. 6,02,852 as detailed at the top of this note. In view of the special urgency of the scheme, it is proposed to start the work in the current year itself and take up for execution the out-patients, venereal and skin clinics for males and females and the compound wall. The amount required in the current year for this purpose will be Rs. 10,500 and it can be met by reappropriation from savings within the sanctioned grant for civil works expenditure. As, however, the proposed reconstruction of the hospital at a cost of about Rs. 6 lakhs constitutes a new service, it is proposed to move a demand for a supplementary grant for a token sum of Rs. 100 under "Grant XXIX—Civil Works." It is also proposed to debit the expenditure to "60. Civil Works—Not charged to Revenue" and to finance it from Provincial balances for the present as the estimated cost of the scheme exceeds Rs. 5 lakhs.

APPENDIX XII.

[Vide item VII (4) at page 72 supra.]

(4) ADDITIONAL APPROPRIATION TO MEET EXPENDITURE ON FAMINE RELIEF.

Grant.	Head of account.	Amount of supplementary grant required in 1935-36.
(1)	(2)	(3)
		RS.
XXXII. Famine Relief—Reserved.	43. Famine	14,39,800

Explanatory note.

The budget estimate for 1935-36 under "43. Famine" was fixed at Rs. 1,25,000. Famine relief operations were started in 1934-35 in the Anantapur and Bellary districts and twenty-one relief works in the former and eight in the latter were opened for the relief of distress, the largest number of persons relieved being 90,654 per day, during the week ending 13th July 1935, in the Anantapur district and 38,125 per day, during the week ending 20th July 1935, in the Bellary district. There has however been a considerable improvement in seasonal conditions since then. Agricultural operations are being resumed and the number of persons on relief has fallen appreciably.

The total amount required under "43. Famine Relief—Voted" during 1935-36 is now estimated at Rs. 15,64,800 and excluding the amount of Rs. 1,25,000 for which provision has already been made in the Budget Estimate for 1935-36, the additional allotment now required is Rs. 14,39,800, as indicated in the appendix to this note. It is proposed to move a demand for a supplementary grant for this amount. The expenditure will be met by transfer from the Famine Relief Fund.

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	Total amount required for 1935-36.	Amount provided for in the budget estimate for 1935-36.	Additional allotment now required (figures rounded to hundreds).
43. Famine relief—			
Voted—	RS.	RS.	RS.
(a) Salaries and establishments ..	99,560	18,000	81,600
(b) Relief works	13,49,738	77,000	12,72,700
(c) Gratuitous relief	73,975	10,000	64,000
(d) Miscellaneous	41,533	20,000	21,500
Total ..	15,64,806	1,25,000	14,39,800

APPENDIX XIII.

[Vide item VIII at page 80 supra.]

FINANCE DEPARTMENT.

Comparative statement showing actual receipts under the Principal heads of Provincial revenues in the first six months of 1934-35 and 1935-36, actuals for full year 1934-35, and Revised Estimate for the year 1935-36.

Revenue heads.	Six months' actuals.				1935-36.		
	1934-35.	1935-36.	Deterioration in 1935-36 (column (3) — column (2)).	Actuals for full year 1934-35.	Budget estimate.	Revised estimate based on six months' actuals.	Deterioration in Revised Esti- mate, 1935-36, as compared with budget (column (7) — column (6)).
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
V. Land Revenue.	1,62'45	1,55'62	— 6'83	7,15'41	7,36'94	7,29'94	— 7'00
VI. Excise ..	2,03'57	1,96'13	— 7'44	4,23'12	4,23'71	4,09'71	— 14'00
VII. Stamps ..	1,07'86	1,03'02	— 4'84	2,17'11	2,17'54	2,08'84	— 9'00
VIII. Forest ..	23'94	22'03	— 1'91	44'34	44'09	42'09	— 2'00
IX. Registration.	16'58	16'30	— 0'28	31'92	31'45	31'45	Nil.
Total under the Principal heads of revenue.	5,14'40	4,93'10	— 21'30	14,31'90	14,54'03	14,22'03	— 32'00

The principal sources of Provincial revenues are Land Revenue, Excise, Stamps, Forest and Registration. These contribute about 88 per cent of the total revenues of the Province.

As compared with the collections from April to September 1934, those from April to September 1935 show a fall of Rs. 21'30 lakhs under these heads. The budget for the current year took credit for an increase of Rs. 22'13 lakhs over the actuals for 1934-35 under these heads, but the revised estimate as at present anticipated is likely to be below the budget by Rs. 32 lakhs and below the actuals of 1934-35 by Rs. 9'87 lakhs.

28th October 1935.

C. E. JONES.

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APPENDIX XIV.

[Vide item IX (1) at page 103 supra.]

G.O. No. 1866, Revenue, dated 9th August 1935.

READ—the following paper:—

G.O. Press No. 68, Revenue, dated 10th January 1935.

Order—No. 1866, Revenue, dated 9th August 1935.

In G.O. No. 68, Revenue, dated 10th January 1935, the Government directed the suspension until fasli 1345 of—

- (1) a portion of the land revenue due for fasli 1344 on lands held on ryotwari tenure the assessment on which had been resettled in accordance with the ordinary rules of settlement;
- (2) a portion of the quit-rent due for fasli 1344 on enfranchised proprietary estates village service inams in proprietary estates; and
- (3) a portion of the charge for the use of water both in ryotwari and in proprietary areas, provided the water was not irregularly taken.

It was stated that the question whether the whole or any portion of the revenue suspended under the orders mentioned above should be collected in this fasli would be decided on receipt of the Collectors' reports on the condition of crops and the economic situation prescribed in Board's Standing Order No. 14 (8). The Government are now of the opinion after consideration of the question, that in the particular circumstances of the present case it is unnecessary to obtain the prescribed report from the Collectors, and they direct that the revenue of fasli 1344 suspended under the orders noted above be remitted altogether.

(By order of the Governor in Council)

H. R. UZIELLI,
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).

„ the Accountant-General.

„ all Collectors.

„ the Finance Department.

„ the Finance (Budget) Department.

„ the Secretary, Legislative Council, with 175 copies for being placed on the Table.

„ the Government of India, Department of Education, Health and Lands, with C.L.

Press.

[29th October 1935]

APPENDIX XV.

[Vide item IX (3) at page 103 supra.]

REVENUE DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to question No. 793 at the meeting of the Legislative Council held on 11th March 1935, a copy of the G.O. No. 1761, Revenue, dated 17th August 1931, is laid on the table.

2. The number of Oriya Sub-Inspectors now employed is one in the Chicacole Circle, one in the Jeypore Circle and nil in the Berhampore Circle. The number of Oriya Sub-Inspectors employed in the Waltair subdivision (which comprises the Berhampore, Chicacole, Vizianagram, Vizagapatam, Jeypore, Parvatipur, Rajahmundry, Amalapuram, Godavari Agency, Ellore, Narasapur, Bezvada and Masulipatam Circles) is six. The fact that the required number of Oriyas has not been recruited is due to the paucity of qualified candidates.

H. R. UZIELLI,
Secretary to Government.

ANNEXURE.

G.O. Ms. No. 1761, Revenue, dated 17th August 1931.

READ—the following paper:—

From the Commissioner of Excise, dated 16th May 1931, R. No. 1133-Abk.

Order—No. 1761, Revenue, dated 17th August 1931.

The Government agree with the Commissioner of Excise that a fair proportion of Sub-Inspectors of Excise in the Berhampore and Chicacole Excise Circles of the Ganjam district and in the Jeypore Excise Circle of the Vizagapatam district should be Oriyas. In order to secure this object, the Government desire that when selections are made for admission to Class III of the Madras Excise Subordinate Service, the communal rotation prescribed in rule 5 of the general rules relating to the Subordinate Services issued in G.O. No. 712, Public, dated 2nd July 1929, should be so worked at present as to give to Oriyas, as far as may be possible, half the number of vacancies arising in these three Excise Circles.

(By order of the Government, Ministry of Education and Excise)

H. R. PATE,
Secretary to Government.

To the Commissioner of Excise.

„ Secretary, Madras Services Commission.
„ Public Department.

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APPENDIX XVI.

[Vide item IX (4) at page 103 supra.]

FINANCE DEPARTMENT.

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING
THE QUARTER ENDING 30TH JUNE 1935.

(a) PERMANENT.

Department and designation of the post.	Pay per mensem.	Date of creation.	Remarks.
	RS.		
<i>Public (Special) Department—</i> Joint Secretary to the Board of Revenue (Land Revenue and Settlement).	Pay in the senior time-scale of the Indian Civil Service subject to a maximum of Rs. 2,000 plus Rs. 200 special pay.	17th April 1935 ..	The post was sanctioned in the place of a superior post of Director of Land Records which has been abolished simultaneously. The arrangement was sanctioned by the Secretary of State for India in Council.
<i>Public Works and Labour Department—</i> One Engineer in charge, Pykara.	1,000—100/2—1,200.	1st April 1935 ..	....

(b) TEMPORARY.

(i) Extension of previous sanction.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	RS.		
<i>Public (Special) Department—</i> Deputy Secretary to Government, Public Department.	Pay in the senior time-scale of the Indian Civil Service plus a special pay of Rs. 200.	Up to 30th September 1935.	....
Deputy Secretary to Government, Law and Education Department.	Do.	Up to 31st March 1936.	....
Additional District Judge, East Godavari.	Pay in the regular line.	Up to 21st October 1935.	....
<i>Law Department—</i> Additional Sub-Judge, Devakottah.	650	For one year from 22nd April 1935.	....
Sub-Judge, Kurnool.	650	From 22nd April 1935 up to the commencement of the summer recess in 1936.	

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(b) **TEMPORARY—cont.**(i) *Extension of previous sanction—cont.*

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	RS.		
<i>Law Department—cont.</i>			
Additional Sub-Judge, Cocanada.	650	Up to the commencement of Christmas holidays for 1935.	....
Additional Sub-Judge, Ellore.	650	Up to the commencement of the summer recess for 1936.	....
Special Officer, Board of Revenue.	Indian Civil Service cadre.	Up to 31st July 1935.	For work in connexion with the enquiry into agricultural indebtedness.
<i>Public Works and Labour Department—</i>			
Public Works Department Executive Engineer.	625—1,375	Till the end of March 1936.	For the charge of the Ramnad Subdivision.
Public Works Department Superintending Engineer.	1,750—2,150	Till the end of September 1935.	For the charge of Dowlaishwaram Circle.
Public Works Department Executive Engineer.	625—1,375	Till the end of October 1935.	For work in connexion with famine relief works in Anantapur and Bellary districts.
Do.	625—1,375	Till the end of 30th June 1935.	For the charge of Kattalai Special division.
<i>Local Self-Government Department—</i>			
Special Engineer for Road Development.	Pay in the grade of Superintending Engineers plus an overseas pay of £13-6-8 per mensem.	Up to 1st July 1935.	....

(ii) *Posts newly created.*

<i>Public (Special) Department—</i>			
Joint Secretary to Government, Law and Education Department.	Pay and special pay admissible to Junior Secretaries to Government.	From 15th April 1935 to 31st March 1936.	....
Additional Sessions Judge, West Tanjore.	Pay in the regular line.	From 13th May 1935 to 7th September 1935.	....
<i>Law Department—</i>			
Sub-Judge, Cuddapah.	650	From the date of re-opening of the District Court after summer recess for 1935 till the commencement of the summer recess for 1936.	

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(b) TEMPORARY—cont.
(ii) Posts newly created—cont.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	RS.		
<i>Law Department—cont.</i>			
Sub-Judge, Anantapur.	650	For six months from 1st July 1935.	....
Additional Sub-Judge, Masulipatam.	650	From 24th June 1935 to the commencement of the summer recess for 1936.	....
<i>Public Works and Labour Department—</i>			
One Engineer-in-charge, Construction and Civil Engineering Division.	625—1,375 plus £30 overseas pay plus Rs. 200 special pay	For three years from 1st April 1935.	....
One Executive Engineer (Civil and Hydraulic Construction Division), Mettur Hydro-Electric scheme.	500—50/2—850	For three years from date of employment.	....
<i>Local Self-Government Department—</i>			
Lay Secretary for the non-technical organization of the medical administration of hospitals.	750 + house rent allowance Rs. 100 per mensem + car allowance Rs. 75 per mensem.	One year from the date of taking charge of the officer.	....

APPENDIX XVII.

[Vide item IX (5) at page 103 supra.]

G.O. No. 2272, Revenue, dated 26th September 1935.

READ—the following papers:—

Reference from the Board of Revenue (Land Revenue and Settlement), No. G. 1513/35-1, dated 8th April 1935.

Memorandum to the Board of Revenue (Land Revenue and Settlement), No. 2248-E/35-3, dated 31st May 1935.

Reference from the Board of Revenue (Land Revenue and Settlement), No. G. 1513/35-3, dated 27th June 1935.

Memorandum to the Superintendent, Government Press, No. 2248-E/35-5, dated 19th July 1935.

Order—No. 2272, Revenue, dated 26th September 1935.

No objection or suggestion having been received in regard to the draft amendments to the rules under the Madras Survey and Boundaries Act, 1923, published at page 1063 of Part I of the *Fort St. George Gazette*, dated 30th July 1935, the amendment is now confirmed.

[29th October 1935]

2. The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by clause (a) of sub-section (2) of section 26 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Governor in Council is hereby pleased to make the following amendments to the rules published with Revenue Department Notification No. 313, dated the 15th December 1925, at pages 2402-2405 of Part I of the *Fort St. George Gazette*, dated 22nd December 1925, as subsequently amended.

AMENDMENTS.

In the said rules—

- (1) in the item against "Areas surveyed on the system of simple triangulation or on the town survey system" appearing under "Points" in clause (3) of rule 1 of the rules under the heading "Rules under clause 2 (a)," for the words "and poramboke subdivisions" the words "poramboke subdivisions, and subdivisions belonging to or vested in local bodies" shall be substituted; and
- (2) in item (1) against "All other cases" appearing under "Points" in clause (3) aforesaid, for the words "of poramboke survey fields, subdivisions, as also minor circuits," the words "of poramboke survey fields and subdivisions, of survey fields and subdivisions, belonging to or vested in local bodies, as also of minor circuits" shall be substituted.

3. A copy of the amendment made will be placed on the table of the Legislative Council.

(By order of the Governor in Council)

H. R. UZIELLI,
Secretary to Government.

To the Superintendent, Government Press (with paragraph 2 for publication of notification).

- „ Board of Revenue (Land Revenue and Settlement).
- „ Law (Legislative) Department.
- „ Law (Drafting) Department.
- „ Legislative Council Office.

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APPENDIX XVIII.

[Vide item IX (6) at page 103 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

U.O. NOTE No. 2469 D/35-4, DATED 14TH OCTOBER 1935.

COMMUNICATION TO THE COUNCIL.

With reference to the answers given to question No. 99 at the meeting of the Legislative Council held on the 7th August 1935, the following statement is laid on the table:—

LEGISLATIVE COUNCIL QUESTION NO. 99 ANSWERED ON 7TH AUGUST 1935

Formation of Irrigation Panchayats.

* 99 Q.—MR. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Revenue be pleased to state—

(a) how many new irrigation panchayats have been started in each district after Collectors were given the power for organizing the same; and

(b) when they propose to start such panchayats in districts where they have not yet been started?

A.—(a) & (b) The Government have not the information asked for, but have called for it.

MR. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government will place a copy of the report on the table of the House as soon as they get it? ”

THE HON. MR. C. A. SOUTER:—“ I think I had better see the report first.”

DIWAN BAHADUR M. GOPALASWAMI MUDALIYAR:—“ May I ask whether, as soon as the report is received, the Government will direct that similar panchayats should be formed in districts where they do not now exist? ”

THE HON. MR. C. A. SOUTER:—“ I cannot say without seeing the report.”

Statement.

After the Collectors of districts were given the power to constitute irrigation panchayats, two new panchayats—one in the West Godavari district and another in the Cuddapah district—were formed. The reports received from Collectors indicate that it has not been possible

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to form more panchayats as the ryots are in most cases satisfied with the existing longstanding customary arrangements and are not anxious for any change. In some cases they are diffident or even actively opposed to any change, fearing that control may pass into the hands of a few influential people to the disadvantage of the ryots generally. In other cases again, faction operates to prevent the formation of panchayats. The Board of Revenue has asked Collectors to issue instructions to Revenue Divisional Officers and Tahsildars to take a personal interest in the matter, do propaganda work and explain to the ryots the advantages of the formation of panchayats. The Government do not consider that any further action is possible at this stage.

W. SCOTT BROWN,
Secretary to Government.

To the Secretary, Legislative Council Office,



THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 30th October 1935.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

- Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.
Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, c.s.i., I.C.S., The Hon. Mr. C. A.
Bracken, c.s.i., c.i.e., I.C.S., The Hon. Mr. G. T. H.
Raja of Bobbili, K.C.I.E., The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, the Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annammalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T.
Ari Gowder, Mr. H. B.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Sri A. V.
Boag, c.i.e., I.C.S., Mr. G. T.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Langley, Mr. W. K. M.
Madanagopal Nayudu, Mr. R.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Muhammad Meera Ravuttar Bahadur, K. P. V. S.
Muniswami Pillai, Rao Sahib V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiappa Gounder, Mr. K. A.
Nanjappa Bahadur, Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib, D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Diwan Bahadur C. Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattagar of Palayakottai.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Promayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Parlakimedi, The.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Reid, Mr. D. M.
Rukmani Lakshmiipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Sandana Gounder, Mr. I.
Schamnad Sahib Bahadur, Khan Bahadur Mahmud.
Scott Brown, I.C.S., Mr. W.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Siva Raj, Rao Sahib N.
Smith, Mr. J. M.
Sreshta, Mr. M. S.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Bahadur.
Thangal, Mr. P. M.
Uzielli, c.i.e., I.C.S., Mr. H. R.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venugopal Nayudu, Rao Bahadur R. K.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Kirlampudi, The.